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To "Cousin Mary"
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FINLAND AND THE TSARS

FINLAND
AND
THE TSARS

1809—1899

BY
JOSEPH R. FISHER, B.A.
BARRISTER-AT-LAW

LONDON
EDWARD ARNOLD
Publisher to the India Office
37 BEDFORD STREET, STRAND
1899

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P R E F A C E .



THE acute constitutional crisis that has prevailed in Finland since the issue of the Tsar's manifesto in February last, and the interest taken in the question by the press in England and America, have encouraged me to believe that a book on the subject, written from personal knowledge, and as the result of local investigation, would find readers on both sides of the Atlantic.

The history of this little country in the Baltic, so often regarded as simply a part of Russia, is an interesting one, but English readers have not had much opportunity of becoming acquainted with it. Of recent years one or two ladies have written bright and readable sketches of travel in Finland, but these writers could naturally devote but little space to the political and historical questions that have now come to the front. English translations were issued several years ago of three Finnish books—'Finland in the Nineteenth Century,' edited by a Committee in Helsingfors; Senator Mechelin's 'Précis of Constitutional Law'; and Professor Danielson's Reply to M. Ordin; but these are all, I fear, out of print.

The object I have kept before me in writing this book has been to present the case of Finland in the

briefest and clearest language, and not in any sense to make an attack on Russia. That certain Russian officials have determined, if they are not checked, to destroy the Finnish constitution is a fact beyond dispute, but the Grand Duchy has not been without expressions of sympathy from very influential quarters in Russia; and there can be little doubt that if the present Tsar knew the facts, he would revert to the wise policy of his ancestors and abandon the dangerous adventure into which he has been led by the intolerant apostles of 'unification.'

Unhappily, few Russians have studied the question for themselves: they are at the mercy of a class of controversialists who are sufficiently characterized by a writer in Prince Uchtomski's paper, the St. Petersburg *Viedomosti*, whose pungent remarks on the 'jackal' press I have ventured to quote in the final chapter. As a foreigner I claim no right to dictate or to assume the rôle of a moral censor in other peoples' affairs. My desire is rather to convince all concerned that the true interests of Russia, not less than of Finland, lie in the strict observance of the policy and the pledges of former Tsars.

As regards authorities, I have relied chiefly on the numerous books and documents that are available to all investigators. Senator L. Mechelin's '*Staatsrecht des Grossfürstentums Finnland*,'* published in Marquardsen's '*Handbuch des öffentlichen Rechts*' (Freiburg, 1889), gives a complete outline of the Finnish Con-

* Since Senator Mechelin's work was published, the Divisions of the Finnish Senate, as given on that authority at p. 127 of the present work, have been somewhat altered. The Chancery Division has been abolished, and two new Divisions—those of Justice and Communications—have been established.

stitution in its practical working. The leading Russian controversialist is M. K. Ordin, whose book, 'The Subjugation of Finland' (2 vols., St. Petersburg, 1889), was in its origin a reply to Dr. Mechelin. This in turn elicited 'Finlands Förening med Ryska Riket,' by Professor J. R. Danielson (Helsingfors, 1891), which holds the field, having, with a wealth of historical knowledge and controversial skill, practically annihilated the Russian writer, who has attempted no serious defence. Professor Hermanson's 'Finlands Statsrättsliga Ställning,' is also an indispensable authority on the constitutional question.

Of historical authorities the most modern and comprehensive is Professor M. G. Schybergson, whose 'Finlands Historia' (Helsingfors, 2 vols., 1887-1889) will be found more accessible to most readers in the German version by Fritz Arnheim, in Perthes' series of 'Geschichte der Europäischen Staaten' (Gotha, 1896). All the statistical facts are admirably given in the Official Yearbook, 'Statistisk Årsbok för Finland, utgifven af Statistiska Centralbyrån.' I have also to acknowledge the personal assistance rendered me in my inquiries by many friends in Helsingfors.

A considerable number of documents had to be cited at length in the text, as they are not otherwise accessible to English readers, but they have, I hope, been kept within reasonable limits. Chapters XIV. and XV. are devoted to a summary of the more important passages in the 'Reply of the Estates to the Tsar's Proposals' (Finlands Ständers Underdåniga Svar i anledning af Hans Kejserliga Majestäts Nåd ga Propositioner) and the accompanying documents. So far as possible the form and the wording of the original

documents have been retained in this condensed version. The Reply and the appendices are necessarily couched in somewhat technical and crabbed phraseology, which no doubt reflects itself in the summary ; but this is, perhaps, not altogether a disadvantage, when the object is to reproduce, so far as possible, the spirit of the original. The Reply naturally covers some of the ground previously touched on in other chapters, but where the choice lay between repetition and an undue number of cross-references, I have not hesitated to repeat statements or arguments when I considered it necessary for clearness.

J. R. F.

LONDON, *November*, 1899.

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FINLAND AND THE TSARS

CHAPTER I.

LAND AND PEOPLE.

‘FINLAND governs itself’ were the words with which the first Nicholas was accustomed to wave aside the suggestions of officials in whose eyes the constitutional government of the Grand Duchy was a standing offence against the sacred principles of autocracy. Thanks to this wise policy, persisted in by successive Emperors for the best part of the century, Finland has till recently made itself very little heard of since its union with Russia. Content with its distinction as the most orderly and the most progressive of all the Tsar’s dominions, it has shown no desire to attract the attention of Western Europe, where, indeed, its advanced civilization was so little understood that to many it simply presented itself as another Lapland, and the venturesome traveller to ‘Suomenmaa’ was likely to be asked whether he would not have to live in huts on the snow, and travel in reindeer-sledges.

Finland for its own part would have been only too glad to remain aloof from the wrangle of European politics. The country had been for centuries the cock-

pit in which the struggle for supremacy between Russia and Sweden was fought out, and rest only came when the Scandinavian power definitely retired from the contest. The incapacity or the treachery of Sweden's later rulers had succeeded in alienating Finland so completely, that the acceptance of the Tsar Alexander as Grand Duke at the Diet of Borgå was unanimous. His sympathetic and cordial demeanour, and the unequivocal nature of the reiterated pledges by which he recognised and confirmed for all time the ancient constitutional rights of his new subjects, left no room for suspicion. Even by the absolute Nicholas, who had no sympathy with the early aspirations of his brother, these pledges were held sacred, and he checked the 'unifiers' who even then would have treated Finland as a Russian province. Of the steps by which the second Alexander made himself the idol of the Finnish people it is unnecessary to speak here; they will be discussed in their proper place. He enabled the Diet to realize and translate into positive Finnish law points that had before been, perhaps, disputable; and with his reign began that extraordinary social, educational, and industrial development which, in spite of almost insuperable natural drawbacks, has placed the little nation well in advance of any other within the same degrees of latitude.

And the gain has been not less great for the empire than for the Grand Duchy. Although in their own little world of politics the rivalry between Fennomans and Svecomans has now and again run keen and high, Finland never produced in the Diet or out of it a conspirator or an agitator against Russia. It provided instead generals for her armies and admirals for her

fleet; and in the worst moments of war, or in the still more desperate ten years' combat with terrorism, Russia never needed to detach a soldier or a spy for special service in Finland. The Finnish people, then, may well claim that they have faithfully kept their part of the fundamental compact made with the Tsars; and if, after ninety years, they now find themselves attacked in the Russian press as rebels and conspirators, and plunged in a struggle for their political existence, they have a good right to claim that the fault is not theirs. Their crime has been that Finland and Finland's constitution stand in the way of the Panslavonic ideal—one Russia, one faith, one law, one tongue; and to the fanatical 'Nationalist' expansion and unification are more sacred things than a Tsar's word. That there is to-day a Finnish question is, it is firmly believed in that country, owing to no ill will on the part of the present Emperor, but simply to the fact that the second Nicholas has shown himself less firm in resisting official pressure than his great-grandfather.

The union of Finland with Russia, and the events that have followed under the five Tsars, will be discussed in subsequent chapters. But perhaps something should first be said of the people and of their country, whose story is so interesting and so little known. Finnish tribes seem at one time to have been the dominant race in what is now Russia, and, indeed, much further west; but they were like the Celts, unfortunate in never being able permanently to establish an independent and united State capable of resisting pressure from Teuton, or Slav, or Turk. The Magyars, it is true, were of Finno-Ugrian origin, and

so probably were the Bulgars; but one can hardly regard the Hungary and Bulgaria of to-day as Finnish States. In the north and north-east of Russia there are still Finnish tribes little, if at all, removed from the nomadic stage; all through the empire there are millions of them who have become Russians. The late M. de Quatrefages de Bréau, in his '*Race Prussienne*,' discovers marked Finnish traces in East Prussia, whilst the so-called Baltic provinces are largely inhabited by Finns who were first Teutonized and are now in process of Russification. On the White Sea there is a tribe of Finnish origin whom the Finns of Finland speak of as '*Tartars*.' In the south-east of Europe there are Turkish-speaking peoples whom the Russians call '*Turks*,' but who present traces of Finnish origin. It was only on the harsh soil of the country to-day known as Finland, and under the mild rule of Sweden, that the *Suomi*, as they called themselves (Finns they were called by their neighbours), found a resting-place where their race and their language could strike firm root.

The Vikings had no doubt long before made settlements among the islands, and had raided the coast of Finland; but the first beginning of regular conquest was towards the middle of the twelfth century, when King Eric, saint and martyr, organized a crusade to convert the heathen Finns, and to annex their territory to Sweden. Expansion by grace of the Church was the normal method in those days. Henry of Anjou was negotiating at Rome for the Bull authorizing his annexation of Ireland at about the time when Eric of Sweden was gaining a foothold across the Gulf of Bothnia, and it is in keeping with the cosmopolitan

character of medieval Christianity that King Eric's right-hand man in the crusade was Bishop Henry, of Upsala, an Englishman by birth, who laid down his life in the work, and who is Finland's patron saint to this day. The cathedral at Åbo, the ancient capital, and still the ecclesiastical capital, of the country, is dedicated to Saint Henry, and the great summer and winter fairs are held on the days associated with his death and with the transfer of his body from Nousis to Åbo.

There can be no doubt that the conquest by Sweden was the best thing that could have happened to the Finns. They were a mere handful, living in a country without natural frontiers or defences, and remote from the currents of European civilization. As the neighbouring States grew, Finland was bound to be absorbed, and Russian domination at that time would probably have resulted in the total extinction of the half-developed race. The Swedes, on the other hand, were at a comparatively advanced stage of culture, and yet were not sufficiently numerous to swamp the Finns altogether. The Swedish settlements quickly spread along the coast eastward and northward from Åbo, and although the settlers probably troubled themselves little about the primitive inhabitants of the country, the settlements became centres of trade and industry, and brought to the country, along with Christianity, the firmly-established Scandinavian principles of self-government and personal and civil liberty. The Finns clung obstinately and successfully to their nationality and their language, to their songs and their folklore; but in their social and political organization, as in their religion, they became virtually a branch of the Scandinavian family.

As has been said, Finland has had more than its share of war. Before the end of the twelfth century Åbo was sacked and burnt by the Russians, and even so late as the Crimean War a series of useless and cruel raids on the Finnish coast were carried out by the allied Baltic fleet. Up till the end of the eighteenth century scarcely a generation passed without some portion of the country being swept with fire and sword in the struggle between Swede and Russian and Dane for the mastery of the Baltic. Nor does the land itself possess resources or natural advantages likely to encourage the inhabitants to bear up against such a series of misfortunes; and yet the nation grew, and developed a character and a civilization that place it by no means last among the peoples of Europe. As a Finnish writer justly claims: 'The culture of Finland represents in its own way as striking a triumph of patience and energy over natural forces as any that mankind has ever won, and shows how much a vigorous nation can endure without losing its individuality'. To the traveller the country is a charming and interesting one, whether in summer or winter; but for the peasant, the man with the hoe, the struggle is a hard one. Less than one acre in thirty of the surface of the country is arable, a somewhat larger amount is fit for grazing, and the rest is lake, morass, rock, and forest. Finland is, in fact, a great granite plateau, slowly rising out of the sea and still waterlogged over a great portion of its surface. The prevalence of lake and torrent and wild land makes it an ideal country for the sportsman, but soil and climate too often combine to blight the hopes of the farmer.

Winter lasts for half the year; the country is covered

deep in snow, and the lakes and fields are hard as a stone, while the coasts are ice-bound for miles out to sea. The summer is short and warm, but even in July and August the frost is not far off, and sometimes in a single night the half-ripe grain is destroyed and the harvest lost.

Yet such is the tenacity and vigour of the people that, during the last two generations especially, the moral and material progress of Finland has been extraordinary. The population increases rapidly, and education, industries, trade and commerce have more than kept pace with the increase. Education is not compulsory, but the absence of it is such a discredit, and emulation is so keen, that it is practically universal. Even in the backward days, when the schools were few, the clergy made illiteracy a bar to confirmation, and now that there are good schools in even the most remote parishes, few of the present generation grow up untaught. There is quite a respectable native literature, and as newspaper-readers the young Finns can be compared only to the Americans. In 1850 there were not a dozen newspapers in the country, now there are over two hundred—a very high proportion in a small and scattered population of two and a half millions. Swedish is the language of the towns and of the cultured classes, and was for long the only language recognised; but the bulk of the country people, who constitute 90 per cent. of the population, have always spoken Finnish, and the languages are now on a complete equality in school and Church and State. The majority of the newspapers appear in Finnish, and even in Helsingfors, the modern capital, Finnish is the language of half the inhabitants.

The struggle between Fennoman and Svecoman, which turned chiefly on this question of language, was a long and bitter one, almost as bitter as that now going on between Germans and Tsechs in Bohemia, but it seems to have left no permanent trace, except in the promotion of education. Each side was so keen to prove the advantage of its own language that the building of schools, the writing of books, and the starting of newspapers received a tremendous impetus which has not yet spent itself. Agricultural schools, dairy schools, navigation schools, commercial schools, and schools for manual education of all kinds abound, and the system of teaching is excellent. Art and art industries are highly developed, the latter owing much to the establishment of the 'Slöjd' system of education, which was introduced thirty years ago, and has since gone all over the world. There are 47 lyceums, or secondary schools, with 7,000 pupils, the pupils and teachers being Finnish-speaking and Swedish-speaking in about equal numbers. At the top of the educational system stands the well-equipped University of Helsingfors, with 2,000 students, over 200 of whom are girls, and a teaching staff of over 100 professors and docents.

The commercial tariffs in force in Finland are not so exclusive as those of Russia, but they constitute a serious check on commerce, and recent messages from St. Petersburg give rise to the fear that they will be increased rather than lowered, for this is one of the matters in which Finland is not self-governing. Nevertheless, the growth of commerce has been extraordinarily rapid. Exports and imports in 1886 amounted to 176,000,000 marks, in 1896 to over

331,000,000. Imports alone, which were 172,000,000 marks three years ago, rose to 202,000,000 in 1897, and to 225,000,000 in 1898, while exports also showed a steady improvement. In 1886 England stood only third in the list of exports and imports, with a total trade of 25,000,000 marks, Russia coming first with 81,000,000, and Germany second with 29,000,000. In 1896 England had secured the second place with 71,000,000 marks, whilst Germany had arisen to 69,000,000, and Russia to 103,000,000, and the returns for 1897, the latest available, show that the same order was maintained with totals of 80,000,000, 78,000,000, and 121,000,000 respectively. British farmers will perhaps welcome with mixed feelings this rapid growth of trade, which, as regards exports, consists largely of dairy products and foodstuffs of various sorts for the British market, but, at any rate, it shows the business capacity and industry of the people of Finland.

In 1886 the export of these various foodstuffs was to the value of some 14,000,000 marks, of which England took but little. In 1896 it had risen to close on 40,000,000 marks, of which England took about half. Even more important for Finland is her wood industry. In 1886 she exported wood and wood products to the value of 41,000,000 marks, and in 1896 to the value of 86,000,000. These two items, in fact, account for three-fourths of all the exports. As regards imports, Finland has always, owing to her climate, had to look abroad for many of the necessities of life, but there is also a growing import of raw materials, which speaks well for the development of her manufactures.

There are few better tests of material progress than the consumption of sugar, and the imports of that article in the last three years have been 16,000,000, 24,000,000, and 32,000,000 kilogrammes respectively, while bread-stuffs which were procured abroad to the amount of 181,000,000 kilogrammes in 1896, and 218,000,000 in 1897, fell to 212,000,000 in 1898 in consequence of an exceptionally good harvest. Of raw materials for textile manufactures there were imported in 1896, 9,000,000 kilogrammes, and in 1897, 11,000,000 kilogrammes; the import of pig-iron for the same two years was 13,000,000 and 20,000,000 kilogrammes respectively, and of coal 95,000,000 and 175,000,000 kilogrammes. Finally, the general official summary of industries of all kinds shows that whereas there were in 1886, 27,921 workers employed in 2,910 establishments on an output valued at over 101,000,000 marks, the corresponding figures in 1896 were 73,010, 7,261, and 218,000,000.

Figures are not very attractive to most readers, and so I have given only a few as samples, and these in the most summary form; but they will serve to show that on the material side Finland is not lagging behind the rest of Europe. In some respects, indeed, her progress resembles rather that of a Western community in America than that of an old-fashioned European nation. The towns, too, have rather an American air, with their broad, straight streets set at right angles and the mixture of small wooden shanties with the most elaborate modern structures in stone. Helsingfors, with 77,000 inhabitants, has streets and buildings superior to those of most European cities of much larger size, and the artistic spirit of the people

lends itself to decoration both in public and private buildings.

There is a tendency in these latter days, when great empires count their subjects by the scores of millions and their armies by the million, to imagine that there is no place in Europe for a little people that counts only 2,500,000; but I think it will be admitted that a country that has shown such perseverance under difficulties, and such extraordinary capacity for industrial development when the opportunity offered, can never be an altogether negligible quantity. Sweden was a European power exercising widespread influence during the Thirty Years' War with a population, Finland included, considerably less than that of Finland to-day. Finland is more populous than either of the kindred States of Norway or Denmark — States which yet manage to make some show in the world. And Europe should not need to be reminded that the great Elector brought Prussia to the front when her people numbered only 1,500,000, or that the greater Frederic began his career with less than 2,500,000 subjects at his back.

Finland's ambitions do not lie in the direction of expansion or of conquest, but her people have earned the right to be allowed to develop in their own way. Few nations have suffered so much and so undeservedly; for Finland itself has never made war or invaded a neighbour, nor has it been a turbulent or an unruly State, calling for discipline or conquest from others more powerful and more progressive. It has managed its own affairs in orderly, law-abiding fashion, obeying its rulers and insisting on its rulers obeying

the law. Such a State ought not to be wiped out of existence without at least a hearing.

It was the dream of an Emperor of Russia at the beginning of the century that Europe should no longer be governed by force, but by Righteousness, Mercy and Peace; and, although the latter end of that monarch himself and of his Holy Alliance was not all that this lofty ideal might have inspired, it was an experiment that was worth failing in. The present state of Europe—and of Russia—presents a sardonic commentary on the hopes of Alexander I., but only the other day it was again a Russian Emperor who suggested what would, he hoped, prove, ‘by the help of God, a happy presage for the century that is about to open;’ and he asked all the world to join him in ‘a corporate consecration of the principles of Equity and Right, on which rest the security of States and the welfare of peoples.’ There is an excellent Irish proverb which has no doubt its counterpart among a people so rich in proverbs as the Slavs: ‘What you blame in others, amend in yourself.’ Nicholas II. has now, in his own person, an opportunity of undoing an act against Equity and Right, and of thus restoring security to a State and welfare to a people whom he holds in the hollow of his hand, and the world is watching for the result.

CHAPTER II.

THE APPROACH OF RUSSIA.

1772—1808.

ALEXANDER PAULOVITCH was far from being the first of the rulers of Russia to desire the detachment of Finland from Sweden. 'It is water I want, not land!' was the cry of Peter the Great; and once he had fixed his capital at the mouth of the Neva, the control of the Gulf of Finland was sooner or later a necessity. The madness of Charles XII. made it easy for Peter to extend his water frontier from the Neva to the Düna; but although his armies had occupied and administered Finland for several years, he does not seem to have felt himself strong enough at the Peace of Nystad to secure the northern shore of the gulf as well as the southern.

Although shorn of half its might by the folly of his successors, the kingdom which Gustavus Adolphus had built up was still a comparatively powerful State, and the determined resistance which had been offered on more than one occasion by the scanty and ill-organized population of Finland, even when deserted by Sweden, was sufficient to show that the forcible retention of the Grand Duchy would render it a source of weakness

rather than of strength to the empire. Consequently only a small strip of territory was annexed, and it is a curious fact that from this time forward successive rulers of Russia, although never relaxing their determination to detach Finland from Swedish influence, were profuse in their assurances that, so far from desiring to annex or incorporate that country, its independence would be for ever guaranteed under the protection of Russia. This fact is of vital importance in view of the attempt that has been made of late years by Russian writers to represent Alexander's conquest of Finland as simply the addition of a province to the Russian Empire. They cannot deny, indeed, that certain pledges were given, but they add that Alexander was a sentimental monarch, with vague constitutional leanings imbibed from La Harpe, his Republican tutor, and even if he uttered some unfortunate phrases about constitutional liberty, they were only, as M. Ordin puts it, a 'tribute paid to the age'—a passing reference 'suitable to the circumstances and the occasion.'

Whatever were the weaknesses of Alexander—if it is in the eyes of Russian controversialists to be accounted a weakness for a Tsar to keep his solemn and reiterated pledges—no one is likely to attribute sentimentality or a weak regard for the conventions of the age to Elizabeth Petrovna or to the great Catherine, yet each of these powerful sovereigns has left on record utterances with regard to Finnish liberty quite as unmistakable as those of Alexander I. Peter's daughter Elizabeth, when she came to the throne in 1741, found Russia and Sweden at war, as usual, and in the following year she issued a manifesto

to the Finnish people, in which the quarrelsome and aggressive policy of Sweden was contrasted with that of Russia, whose only desire was to live in peace and friendship with her neighbours. The Empress assured the Finns that she did not covet a foot of their territory, but was willing, if her armies were not opposed, to free Finland from the power and jurisdiction of Sweden, and erect it into an independent State, a 'barrier and frontier' between Russia and Sweden, enjoying its own constitution, with all the rights, privileges, and liberties arising therefrom. This manifesto, which was circulated broadcast in Swedish, Finnish, and German, produced no visible effect at the time, although doubtless some of the unhappy people, seeing no prospect for their country but repeated devastation by the rival armies, began to look to Russia as their future protector. The Peace of Åbo, in 1743, left Finland Swedish, but shorn of the province of Viborg, which was annexed to Russia.

The next reign—Peter III. hardly counts—found the neighbours at war again, and Finland still in the position of the toad under the harrow. But by this time a serious conspiracy had been set on foot to secure independence under Russian protection, several Finnish-Swedish officers having entered into correspondence with the Empress Catherine. This was, of course, treason, but the miseries of the country under a series of incapable Holstein-Gottorp Kings had rendered the leading Finlanders desperate, and history will probably judge the action of Sprengtporten and his fellow-conspirators as lightly as it judges that of the English Whigs who a century before had entered into correspondence with William of Orange whilst still

owing allegiance to a Stuart King. Mr. Freeman assumes, and no doubt correctly, that the Swedish nobility, who were at that time smarting under the recent loss of their privileges, thought more of the erection of an aristocratic State under Russian protection, in which they should be supreme, than of the securing of popular liberties in Finland. It must be admitted, however, that Sprengtporten, whatever his original motives may have been, stood out sturdily and successfully at the critical moment for the constitutional liberty of his country.

In 1786 Sprengtporten submitted to the Empress a '*Précis d'un tableau sur l'équilibre du Nord, considéré dans le projet de rendre la Finlande indépendante,*' and this document is still to be found in the Russian archives, bearing the approving endorsement of Catherine. A somewhat inconclusive correspondence followed, and the conspiracy came to nothing; but when the war began, two years later, the Empress followed the policy of Elizabeth as regards Finland. The negotiations were submitted by her to the Russian State Council, and fully approved by that body, and a minute was drawn up assuring the Finlanders that they might 'rest assured of her Majesty's gracious protection,' and further, that 'if they really wish as soon as possible to put an end to the miseries of war, and to come into the enjoyment of peace and of the independence they are longing for, they must by means of persuasion or otherwise prevail upon the Swedish army to leave Finland. They must convoke their own Diet, declare themselves independent, frame such laws as the Estates themselves may recognise as conducive to the welfare of the country by means of a new Form

of Government, independent of all save God alone ; that her Majesty will solemnly and for ever confirm all their resolutions, and that if the Swedish King and his army oppose their attempts at independence, the Empress will order her army to the support of all those who love their country.'

The bulk of the people, however, showed no desire to take advantage of this offer, and the advances of Catherine remained for the moment as resultless as those of Elizabeth. But the end was drawing near, and in 1808, to anticipate a little, a war was once more inaugurated by assurances of Finnish liberty. When General Buxhoevden in that year crossed the Finnish frontier without a declaration of war, he issued a proclamation, in the name of Alexander I., adjuring his 'good friends and men of Finland' to 'remain quiet and to fear nought,' because the Russians did not come as enemies, but as 'friends and protectors.' Alexander and Napoleon, the people of Finland were told, were allied in the sacred task of securing to Europe that peace which was menaced by Sweden and England, for, says this interesting document, 'his present Swedish Majesty, so far from joining his Imperial Majesty in his exertions to restore the tranquillity of Europe, which alone can be effected by the coalition which so fortunately has been formed by the most powerful States, has, on the contrary, formed a closer alliance with the enemy of tranquillity and peace, whose oppressive system and unwarrantable conduct towards his Imperial Majesty and his nearest ally, his Imperial Majesty cannot by any means look upon with indifference.' Nor was the constitutional point forgotten ; for 'should circumstances arise to require

an amicable discussion and deliberation, in that case you are requested to send your deputies, chosen in the usual manner, to Åbo, in order to deliberate upon the subject, and adopt such measures as the welfare of the country shall require.'

It is not suggested, of course, that the attempts of Elizabeth and Catherine to seduce the Finnish people from their ancient allegiance to Sweden—offers made and not accepted—or even Buxhœvden's proclamation, issued on the eve of the final campaign, are of any validity in the argument now going on between Helsingfors and St. Petersburg as to the strict constitutional meaning and effect of the compact between Tsar and Estates at Borgå. They are, however, altogether destructive of the Russian argument that when Alexander recognised and promised to maintain the constitutional liberties, the religion, and the national existence of Finland, he attempted something so unheard of, so un-Russian, that it is quite incredible. To do such a thing, says M. Ordin, would have been to 'renounce his faith,' to 'act against his sacred duty to Russia, a duty which at his coronation he had solemnly acknowledged before the face of God.'

Russian writers are either ignorant of the history of Elizabeth and Catherine, or they count too much on the ignorance of Europe when they talk like this. To represent Alexander's act in carrying out the policy that recommended itself to his predecessors as either a mere piece of sentimental insincerity, meant to tickle the ears of the Borgå Diet, or as an act of treason to Russia, is absurd in face of the facts. Conscious, perhaps, of the weakness of this argument—which, indeed, is an insult to the memory of a monarch who, whatever

his political or diplomatic vacillations, never broke his word—the ‘Finn-devourers,’ as this class of writers has come to be called, are driven back on the assertion that since Alexander was a truthful man, and since the assurance was one which it was impossible for him as an autocrat and a good Russian to give, it is in material points a Finnish forgery. The clever Finns, it appears, took advantage of the Tsar’s ignorance of Swedish to falsify the documents and so to distort his meaning. This question of phraseology will be dealt with later on, but as the most emphatic pledges were drawn up in French, and were uttered by the Tsar himself, the argument seems to lack point. It is only mentioned here in order to give some idea of the straits to which the Russian Nationalist press has been reduced in its efforts to discover arguments to justify the Emperor in depriving Finland of its constitution.

It was the Napoleonic upheaval in Europe that enabled Alexander to carry out the policy meditated by so many of his predecessors. His father Paul, in the few years of power that were permitted him, ended by coming entirely under the influence of Napoleon, who flattered his vanity by visions of a great empire in the East ; and before his nobles had put an end to his follies, the Tsar had despatched an expedition to raise Central Asia as a preliminary to the conquest of India. Alexander, when placed on the throne by the murderers of his father, promptly recalled this expedition, and for a few years he remained undecided as to his policy.

His interference in defence of Austria and Prussia only served to involve him in the disasters of Austerlitz, Eylau, and Friedland ; and at the meeting at Tilsit, in 1807, Napoleon succeeded, temporarily at

least, in persuading him that alliance with France was the best Russian policy. But Alexander had no idea of following in his father's footsteps. He was no doubt flattered, as Paul had been, with the idea of a vast Eurasian continent, ruled by France in the west and by Russia in the east ; but he was content to take it in instalments, and he showed himself very lukewarm towards the project of the conquest of India by a Franco-Russian expedition. To abandon Austria and Prussia, whose case seemed hopeless, was, however, a small matter, and the gain of Finland in the North and a free hand against Turkey in the South were real and substantial concessions.

England was not long in gaining intelligence of the secret articles of the Treaty of Tilsit concerning Finland and Denmark, and Sweden was promptly warned of the attack that had been arranged and of its aim, but Gustavus IV. was incapable alike of taking advice and of forming plans for himself. Early in February, 1808, Count Klingspor was despatched to take a command in Sweden, armed with a vague and discouraging series of instructions that openly pointed to retreat, and before the end of the month the Russian General Buxhœvden had already crossed the frontier, a hostile step which was accompanied by a declaration in which Alexander threw all the blame on England, and assured his royal brother-in-law that while 'nothing could be more painful' to him than to see a rupture between Sweden and Russia, he could not permit the relations of the two countries to remain any longer in uncertainty.

The proceedings that followed scarcely deserve the name of war, so far as the Swedish army was con-

cerned. General Klingspor, fortified by his instructions, was ever for retreat. Before the end of March, Åbo had fallen, and in April, Sveaborg, a fortress which in capable hands was impregnable, was treacherously surrendered. But when the Swedes had retreated in the south, the real Finnish resistance continued among the lakes and hills of the north. At Siikajoki, the Russians had early in the contest received a decided check, and encouraged by this, the Finlanders began everywhere to make head against the invaders. 'The disgrace that the capitulation of Sveaborg had attached to the Finnish and the Swedish arms,' says Professor Danielson, 'was washed away in blood at Revolaks, Pulkkila, Lappo, Alavo, and a number of other battles which the Finns have the more cause to think of with pride because their fathers fought most of them alone, without assistance from Sweden, and in spite of the utter incapacity of the commander whom the Swedish King had given them.'

This heroic resistance of the Finns, although useless for the purpose of shaking off the overwhelming Russian forces, was yet, as we shall see, not without its political effects.

There were two marked currents of opinion at the Russian Court as to the future of Finland, and the Emperor for a time wavered. The French Alliance, the disappearance of Poland, and the decadence of Sweden had enormously strengthened Russia, and some of the officials, regardless of the recorded policy of Catherine, were in favour of the simple incorporation of Finland as a province of the empire. In more than one of the early proclamations the word 'province' is, in fact, used, accompanied, as in the case of

Buxhoevden's February manifesto, already referred to, by promises as to a Diet, and, in that of the Emperor Alexander, issued on June 5, by pledges that 'the old statutes and privileges of the country would be maintained.' Napoleon and Europe generally had also been notified of the annexation of Finland,

But as the summer of 1808 went on Alexander found himself in danger of drifting into the position of the hunter who sold the skin before killing the bear. His armies were losing rather than gaining ground in the north of Finland, where the constant risings of the Finnish peasants harassed the Russians; two-thirds of the country was held by Finnish troops, and there was danger that Sweden might wake up even at the eleventh hour, and, secure of supremacy at sea owing to the aid of the British fleet, land an army in the Russian rear and cut off connection with St. Petersburg. Besides, Alexander wanted all his strength for the attack on Turkey, which was the second item in the Tilsit programme; and as differences were already beginning to show themselves between France and Russia—differences that afterwards led to such tremendous results—the Tsar naturally wished to gather what advantages he could from the *entente* before the storm burst. Napoleon had not yet taken to calling him 'ce Grec du bas Empire,' but at Erfurt the tension had begun to be felt.

Meanwhile, Alexander's wiser advisers were urging on him the step that would at once put an end to the Finnish resistance and set free his armies—the simple recognition of the constitutional rights of the Finnish people. Several Finlanders had his ear, the veteran conspirator, Sprengtporten, of whom we have already

heard in Catherine's time, most of all, and they were able to assure him that the actions of Gustavus had finally alienated the Finlanders, and that if the people were guaranteed their political and religious rights, as had been promised by Catherine, they would submit. We know, too, from many sources, that at this time and for some years later Alexander was personally favourable to liberal institutions, and there is on record a conversation with Madame de Staël in which he discussed the possibility of granting constitutional government even to Russia. Till the middle of October, 1808, Alexander was fully engaged with Napoleon at Erfurt, but on his return to St. Petersburg he determined to take Finland in hand and come to a settlement.

General Buxhœvden, the Russian commander, had already been directed to arrange for the attendance of a body of Finnish representatives at St. Petersburg to consult as to the future government of the country. But the Finns were not slow to point out that an irregularly chosen deputation of nobles, clergy, burghers and peasants meeting in the Russian capital with no properly-defined powers, and while Russian troops were still at war with Finnish peasants, was far from corresponding to the Diet (*Riksdag*) at Åbo which had been promised in the proclamation of February 18, when they had been invited to send 'deputies chosen in the usual manner' to deliberate and 'adopt such measures as the welfare of the country shall require.' Difficulties arose in the way of securing delegates for such a dubious errand, but ultimately General Buxhœvden explained that the proposed gathering was not to be regarded as a Diet, but

simply as a deputation to the Tsar to explain to him what should best be done for the benefit of the country in its present situation.

The deputation met in St. Petersburg on November 12, 1808, Baron Mannerheim being elected president. Mannerheim had originally been in the Swedish service, had taken part in the Anjala conspiracy with Sprengtporten and the others, and had been condemned to death at the age of thirty. Pardoned by the King, he had retired to his estate near Åbo. The allegiance of public men sat very lightly on them at that time in Sweden, and Mannerheim was involved in no discredit for his condemnation, least of all in Finland, and he fully justified his choice as president of the deputation. In accordance with instructions received at his election in Åbo, he opened the first sitting by reminding the delegates that they were not properly constituted as a Diet, and had no power to pass laws or vote taxes.

When, on November 30, the deputation were received by Alexander, Mannerheim, as their 'Talman,' or Speaker, pointed out that the people of Finland were a free nation, subject to their own laws, and he thanked the Tsar for his promise to respect 'their religion, their laws, their liberties and their rights.' On the following day a memorial was presented, in which it was asked that a legal Diet, 'a general meeting of the Estates of the land' should be summoned in Finland. On January 7, 1809, a favourable reply was received, and on January 20 a decree was signed by the Emperor calling a Diet at Borgå. In this document the Tsar formally recognises the Diet as the proper constitutional organ for deciding the fate of

Finland. His decision, he states, is taken 'conformément aux constitutions du pays,' and the representatives of the Estates are summoned to meet 'de la manière prescrite dans les règlements de Diète.' 'The magnanimous philanthropist,' said Mannerheim afterward, in writing of this critical moment, 'subsequently mentioned that he considered it an honour to rule over a free people with laws of its own.'

It is necessary to go with some minuteness into the details of this Borgå Diet of 1809, for everything that has happened since in Finland turns on it. To European readers some of the details may seem unnecessary, as the thing speaks for itself. But Russian writers—those of the class, at any rate, who have been employed during the present decade to prove that there is no Finnish Constitution—have shown themselves, to say the least, so obtuse in their attempts to comprehend or to explain institutions altogether foreign to their ways of thinking, and have been so childishly anxious to fix here or there on some word (generally misunderstood) which seems to support their contention, that the documents must be followed step by step. These documents are singularly complete, and are all accessible, either in the originals, in various official reprints, or in the volumes issued by the Swedish Literary Society in Finland,* which body has reproduced the minutes of the meetings of the four Estates and the correspondence of the officials with each other and with the Emperor.

The documents are variously in French, Swedish, and Russian; and a favourite device of the critics is to

* 'Skrifter utgifna af Svenska Literatursällskapet i Finland,' vols. iv., xxv. and xl.

fix upon some Russian phrase, and to argue that the Swedish interpreter has failed to convey its exact meaning in his translation. This is then denounced as a Finnish 'forgery.' Professor Danielson, of Helsingfors, who has an exhaustive knowledge both of the Russian and the Finnish archives, has no difficulty in showing that the wonderful discoveries of M. Ordin and his colleagues are mere mare's-nests, and that the alleged discrepancies do not exist. The Emperor Alexander possessed a nice literary style, and the first drafts of his proclamations and speeches were often severely 'edited' by himself, the emendations and corrections in some cases almost obliterating the original text. It was only natural under such circumstances that his secretaries were sometimes puzzled; and it is probable that in one case at least, as will appear further on, the Russian draft was altered after the Swedish translation had been made. But the idea that a long series of historical events recorded in a voluminous collection of documents, all pointing to one irrefragable conclusion, can be nullified by unimportant variations in the renderings into three languages by such words as 'Prince,' 'constitution,' or 'law,' is surely a grotesque perversion of all constitutional jurisprudence. The difficulty is that in dealing with constitutional government the Russians seem neither to understand the word nor the thing, and Finland suffers because Russia and Russian thought have not kept abreast of Europe.

CHAPTER III.

A DIET SUMMONED.

FINNISH resistance being practically at an end, Alexander proceeded to act in accordance with his expressed wish to rule the Finnish people as a free nation, in accordance with their constitution and not by force. Count Buxhœvden, who had hitherto controlled the country in his capacity of Commander-in-Chief of the Russian armies, was recalled, and Sprengtporten was appointed first civil Governor of Finland. This Sprengtporten is a highly interesting and characteristic eighteenth century type. Politician, conspirator, colonel of dragoons, governor, he was always a striking and showy figure, although, perhaps, too much of the free-lance and adventurous citizen of the world to be appreciated by the sober nineteenth century. At one time Europe was on the verge of losing him altogether, as he volunteered for service in the American War of Independence, where he might have become another La Fayette, but he quarrelled with the American agents as to the question of his *traitement*, and returned to Finland. With all his many shortcomings, there is no doubt that Sprengtporten was devoted to his country and its liberties, and it is owing to his influence in St. Petersburg more than to

any other that those liberties were so firmly established at Borgå. The other important figure at this period is that of Michael Speranski, a Russian statesman of great ability and organizing power. He was fully trusted by the Tsar, whose tutor he had been, and over whom he had an immense influence. He had acted as Secretary of State for the empire since the accession of Alexander in 1801, and in 1809, when the Diet was decided upon, he was appointed first Secretary of State for Finnish Affairs, with Baron Rehbindér, a Finlander, also a notable figure, as his assistant.

From the first Sprengtporten, the new Governor, never wavered in insisting that a full legal Diet, '*une Assemblée générale et constitutionnelle*,' and nothing less would pacify Finland. In the memorandum which he submitted to the Emperor on his appointment, he said: '*La Finlande est à peu près conquise par le succès de vos armes, Sire. Il reste à conquérir les cœurs de ses habitans, qui nous sont plus que jamais aliénés: ce n'est que par une administration équitable et juste, conforme à leur ancienne constitution, propre à cicatriser les plaies profondes que les opérations passées y ont laissées après elles, que cette conquête si nécessaire aux succès ultérieurs de vos armes peut s'effectuer.*' In the early days of January, 1809, we find Sprengtporten and Speranski in animated correspondence as to the approaching meeting of the Diet, the impulsive Governor still urging promptitude and haste on the slower-moving Russian officials. Even at this period, we notice one vital incident as showing the Emperor's recognition of Finnish autonomy. Sprengtporten's original idea seems to have been that Finnish affairs should be reported on to the Tsar by

his Russian Ministers. Alexander himself altered this, and directed that the Governor-General should report to him personally, and not through the Russian Ministers, who had nothing to say to the Grand Duchy. In the proclamation of January 20, Alexander had for the first time called himself by his new title—Grand Duke of Finland—and he was apparently determined to emphasize the distinction between his functions as an autocrat in Russia and a constitutional ruler in Finland. Later on, when the Secretary and the Council for Finland were set to work, the separation between Russian affairs and Finnish became still more striking.

One of the first things necessary before the Emperor of Russia could finally and formally pledge himself to respect and maintain the constitution and laws of Finland was that he should know in fuller detail what that constitution and those laws were. So obvious is this, that one of the favourite devices of the less instructed Russian controversialists in endeavouring to explain away the solemn pledges given by Alexander at Borgå (in March, 1809) is to assert, that the Tsar knew nothing of the Swedish laws on which Finnish writers base their case; that he had to deal only with Finland, and as Finland had never had a separate existence or a separate constitution, he can only have referred in his speeches and proclamations to such ordinary things as the civil and criminal laws, and the laws affecting property and personal rights. It will not be disputed, of course, that everything could not remain literally the same in Finland after its union with Russia as before. The Grand Duke was to be an Emperor instead of a King; the new Sovereign was head of the Catholic

Apostolic Orthodox Church, whereas the former King was necessarily a member of the Evangelical Lutheran Church ; the machinery of government would no longer be centred in Stockholm, but in Åbo ; there would no longer be an Imperial Diet (*Riksdag*), but a local Diet (*Landtdag*) ; the Supreme Court would no longer be in Stockholm, but in the Finnish capital, and so forth. Naturally, however, these very obvious points were apparent to Alexander and his advisers, and the Tsar had had abstracts of the Swedish constitutional laws prepared and submitted to him in advance, and at his own request, as a necessary preliminary to the erection of Finland into a separate constitutional unit.

In December, 1808, the Russian Foreign Secretary, Count Saltikoff, wrote to Baron Mannerheim making inquiries, and in reply the President of the Finnish deputation gave him a short sketch of the respective rights under the Swedish Constitution of the monarch and of the Estates, and also of the ceremonies and proceedings usual at Swedish Diets. One short citation from Mannerheim's memorandum will serve to show that the Emperor, before he summoned the first Finnish Diet, was made plainly aware of the privileges of that body, and of the limitations the constitution would set on his acts, and also of the distinction between fundamental or constitutional laws and the civil and criminal law of the land. Under the Swedish law, says Mannerheim, 'the Sovereign can make no change (*ne peut rien changer*) in the fundamental laws, nor in the criminal and civil laws established in 1734, nor in the privileges of each Order, nor establish new taxes without the consent of the Estates.' But the Emperor did not content himself with this memo-

random on such an important subject. He had further prepared for him, through the office of the Secretary of State for Finland, a full report on the Swedish Constitution. Count Speranski, as a Russian, was not himself capable of preparing such a report, so he delegated the work to his assistant, Rehbinder, who in turn called in the aid of M. de Buck, who, although not a Russian, appears to have been an official of the Russian Foreign Office. Governor Sprengtporten, writing to Speranski, speaks thus of Buck: 'Il s'est fait une étude particulière de la constitution politique de la Suède. Cet homme sera vraiment un trésor pour vous si vous parvenez à l'attacher à votre département; instruite à le fois des usages de la Russie et des lois de la Suède, qui sont commune pour le Finlande, possédant le langue au fond, et le Russe passablement, il réunit plusieurs qualités nécessaires à un pareil emploi.'

A few extracts from the reports of Rehbinder and Buck will serve to show how fully the Tsar was instructed in the limitations of his new dignity.

'Les États du Royaume de Suède (*Rikens ständer*),' explains Buck, 'sont composés de quatres ordres, savoir, celui de la Noblesse, du Clergé, des Bourgeois, et des Paysans, et tous les objets devant être débattus par chaque ordre; aucun point dont la Diète aura eu à délibérer ne peut-être sanctionné par le souverain à moins que la pluralité, ou trois ordres, ne l'ait adopté, mais tout objet d'impôt ou de contribution personnelle ou territoriale ne peut-être adopté qu'au consentement des quatres ordres.'

But even those Russian writers who have had the wisdom not to fall into the trap about the Tsar's

supposed ignorance of the general constitutional law in its outline vehemently protest that the cunning Finns at quite a recent date have dragged in two special laws, those of 1772 and 1789, of which Alexander never heard, and which consequently he never promised to observe. Even if the laws objected to had never existed, it would hardly help Russia, for those two great constitutional statutes, the Form of Government (*Regerings Formen*) of August 21, 1772, and the Acts of Union and Security (*Förenings och Säkerhets Akten*) of February 21 and April 3, 1789, so far from constituting a furtive extension of the rights of the Estates, involve a limitation of those rights, and a restoration of the power of the Sovereign which had fallen into abeyance since the death of Charles XII., when the nobles had secured the upper hand, and had turned his successors into something resembling *rois fainéants*. The whole question of the repeated applications of those fundamental statutes will come up in its proper historical place later on: it is only necessary here to point out that M. Rehbinder expressly mentions the Act of 1789, and directs his master's attention to the events of 1772, out of which the Act of that year sprung. The extract from M. Rehbinder's report, in which the constitution of Finland is explained, is of considerable length, but every word is of importance.

‘La Finlande, depuis les temps les plus reculés réunie à la Suède, a été gouverné d'après ses lois tant fondamentales que civiles. Les premières se fondent principalement sur trois principes :

‘1. Que le pays soit gouverné par un Roi assujetti aux lois :

‘ 2. Que tous le citoyens sans exception soient libres ainsi que protégés tant à la vie qu'à leurs propriétés :

‘ 3. Que la nation, moyennant ses représentants a le droit de faire sa constitution, dicter les lois, et stipuler les contributions du pays :

‘ Le droit du Roi est celui de pourvoir à tous les offices. De telles places ou charges qui demandent une certaine confiance et qui sont de conséquence sont à la disposition immédiate du Roi, qui en même temps a le pouvoir d'en démettre sans formalité ceux qui manquent a leurs devoirs et par là ont perdu la confiance en eux mise. Pour toutes les autres places trois personnes les plus habiles sont présentées dont le Roi en choisira un, le munira de son brevet ; ceux ci ne peuvent être chargés sans avoir subi le procès et été jugés en forme.

‘ Plus, le Roi est à la disposition des revenus de l'État et fixe les salaires de chaque place, ainsi que certaines taxes, c.a.d. la poste, le papier timbré, etc. ; mais tous les autres impôts dépendent comme susdit des États, que le Roi est seulement de droit de rassembler pour une Diète, où il leur présente les matières dont il souhaite leurs avis et au-dessus de quoi ils n'ont pas le droit de d'étendre leurs délibérations ; pourtant il est à eux réservé de demander le consentement du Roi d'entreprendre matière quelconque qu'ils jugent absolument nécessaire pour le bien du pays, ce qui peut leur être affirmé ou nié suivant l'opinion du Roi. Aussi depend-t-il du Roi de finir la Diète quand bon lui semble.

‘ Ci-devant les États s'assemblèrent chaque troisième année et même plus souvent et avaient des droits bien plus larges qu'a présent, mais depuis le changement de

Régence de 1772 et l'Acte de Sureté en 1789, ils sont restreinte aux circonstances ci-dessus nommées.'

Being then fully informed as to the nature of the constitutional rights which he proposed to recognise and to confirm, Alexander went on with his preparations for the Borgå Diet. In the original manifesto of January 15, 1809, it had been summoned for March 10, but the distances were considerable, and it was impossible to make the proclamation known and to assemble the representatives within the time named; so there was a short postponement, the Emperor not arriving in Borgå till March 15. Borgå was doubtless chosen instead of the capital, Åbo, on account of its nearness to St. Petersburg, and in order to save the time that would be wasted by the Emperor in travelling to and fro. Possibly the fact that Åbo was situated in one of the most Swedish parts of Finland, and exceptionally subject to official or personal influence from Stockholm, may have weighed with the Tsar and his advisers. Lovisa, a town still nearer to the Russian frontier had at first been chosen, but afterwards abandoned in favour of Borgå. One important matter to recollect in connection with what was now to happen in Borgå is that, a fortnight before the Diet met, even the Swedish subjects of Gustavus IV. finally lost all patience with his exhibitions of misgovernment and incapacity, and he was deposed and shipped over to Germany. The reluctance which many loyal Finlanders had hitherto felt to forswear their hereditary allegiance was thus at an end, and Finland was placed in a position freely to arrange for its own future without any qualms of conscience as to oath-breaking.

CHAPTER IV.

THE DIET OF BORGÅ.

ON March 13, Governor Sprengtporten, in the name of the Tsar and Grand Duke, called on the Estates to assemble, proclamation being made in old Swedish fashion by heralds and trumpeters. As the Swedish reckoning is by the new style and the Russian by the old, this March 13 was really Saturday the 25th according to our calculation. When the Estates were constituted and the mandates of the members verified, it was seen that there was not a large attendance. The nobles, with their Marshal, Baron de Geer, numbered 70; the clergy, under the presidency of Tengström, Bishop of Abo, only 8; and the burghers and peasants, each under their *talman*, or speaker, were 19 and 30 respectively.

On the Monday, March 15/27, the Tsar made his entry into Borgå, and on the same night, in council with the Governor-General, with Speranski, his Finnish Secretary, and with Rumjantsoff, his Foreign Secretary, he signed the Act of Assurance, which is Finland's Magna Charta. The solemn and formal promulgation of this Act did not, however, take place till two days later. On the following day, March 16/28, after

attending service at the cathedral, where the Bishop preached 'from a text selected by his Majesty,' the Tsar in State procession proceeded to the High School, where he formally opened the Diet, all the four Estates, for want of better accommodation, meeting on the occasion in one of the class-rooms. The Tsar's throne speech is an excellent specimen of his emotional oratory ; he must have spent many hours in polishing every sentence with that indefatigable lead pencil which has left so many traces on the State documents of the period. M. Ordin, in his examination of those variations of phraseology which so much trouble his mind, and which he attributes to the machinations of the Swedish-speaking Finns, who in that unknown tongue took all sorts of liberties with his Majesty's words, lays stress on the passage in which in the Russian original of the Act of Assurance the 'constitutions' of Finland are spoken of, whilst in the Swedish official translation the singular is used. It will be seen that in the second paragraph of his speech, which is reproduced below in the original French, with no opening left for Swedish mistranslation, the Tsar himself uses the word in the singular :

' Par les décrets de la Providence appelé à gouverner un peuple bon et loyal, j'ai désiré voir ses représentans réunis autour de moi.

' J'ai désiré vous voir pour vous donner une nouvelle preuve de mes intentions pour le bien de votre patrie. J'ai promis de maintenir votre constitution, vos lois fondamentales ; votre réunion ici vous vous garantit ma promesse.

' Cette réunion fera époque dans votre existence politique ; elle est destinée à affermir les nœuds qui

vous attachent au nouvelle ordre de choses, à compléter les droits que le sort de la guerre m'a déferés par des droits plus cher à mon cœur, plus conformes à mes principes, ceux que donnent les sentimens de l'amour et de l'affection.

‘ Je vous ferai connoître mes dispositions sur les objets de votre assemblée. Vous y reconnoîtrez facilement l'esprit qui me les à inspirés.

‘ Que l'amour de la patrie, l'amour de l'ordre et une harmonie inalterable dans vos vues soient l'âme de vos délibérations, et la bénédiction du ciel viendra descendre sur vous pour diriger, pour éclairer, vos travaux.’

It will be noted that the Tsar speaks in the past tense when he refers to his pledge to maintain the Finnish Constitution, although the Assurance was not publicly uttered until the following day. The reason is no doubt that, as we have said, the document had been approved and signed by him on the previous night, and the speech was in its author's mind a kind of oratorical appendix to it.

For the great ceremonial of the following day, of which a painted representation hangs in the Senate House at Helsingfors, no schoolroom or hall in the so-called ‘palace’ would suffice. The whole ceremonial was elaborately drawn up under Alexander's personal direction, and signed with his approval. The cathedral of Borgå was chosen, ‘the sanctuary of the Supreme Being,’ as he afterwards called it, as the place where a Tsar of Russia should for the first time solemnly pledge himself and his successors to maintain a Constitutional Government in one of the lands under his sceptre, and where the representatives of his new

subjects, having heard the pledge, should in return take the oath of homage to their Grand Duke. And as if Alexander foresaw that one day there might be a M. Ordin who would deny that a Tsar could possibly pledge himself to a constitution in the singular, the order of the ceremony, written under his own direction in French, and not in Swedish, and formally approved by him, describes the ceremony thus: '*Après quoi le Gouverneur-Général déclarera que sa Majesté Impériale a daigné confirmer solennellement la Constitution de la Finlande en la sanctionnant de sa signature; il lira à haute voix l'Acte de Confirmation et le remettra au Maréchal de la Noblesse.*'

On the morning of March 17, 29 the Imperial heralds again made their appearance in the quiet streets of Borgå, and the Estates were summoned to the cathedral to hear the Tsar's pledge and to do homage. All being assembled, the Tsar entered and took his seat on a throne specially prepared for the occasion, and adorned with the golden lion of Finland. Here there was a certain alteration in the procedure. The original order of the ceremony was that the Emperor, seated on the throne, should deliver a speech, that the Estates should then in order take the oath of fealty, and that finally the Governor should read the Act of Assurance. It does not seem to be recorded anywhere that the Estates objected to this arrangement, or required the Tsar first to pledge himself to Finland, but for some reason the order of events was reversed. The Act of Assurance came first, then the oath of fealty, and finally the speech; and that the alteration was not decided on suddenly is shown by the fact that, from the draft of the speech,

which still exists in the Archives, with the Tsar's pencil corrections, it is clear that it was intended to follow the taking of the oath.

The Act of Assurance, from the official Swedish text, read to the Estates in Borgå Cathedral by the Governor-General for and in presence of the Tsar, runs as follows :

‘We, Alexander the First, by the Grace of God Emperor and Autocrat of All the Russias, etc., etc., do make known :

‘That, Providence having placed Us in possession of the Grand Duchy of Finland, We have desired hereby to confirm and ratify the Religion and Fundamental Laws of the Land as well as the privileges and rights which each class in the said Grand Duchy in particular, and all the inhabitants in general, be their position high or low, have hitherto enjoyed according to the Constitution. We promise to maintain all these benefits and laws firm and unshakeable in their full force.

‘In confirmation whereof we have signed this Act of Assurance with Our own hand.

‘Given in Borgå, March 15/27, 1809.

‘ALEXANDER.’

This being read in Swedish, and the Russian original being handed to the Marshal of the Nobles, as representative of all the Estates, that official, who had already been sworn as Speaker of his Order, and all the Speakers in succession, took an oath ‘to have and to consider as their lawful Authority the great puissant Prince and Lord, Alexander I., Emperor and Autocrat

of All the Russias and Grand Duke of Finland, and to keep inviolable the Fundamental Laws and the Constitution of the Land, such as they are now adopted and in force.' The Tsar, who had hitherto remained silent, then spoke as follows, Governor Sprengtporten translating into Swedish :

' Je reçois avec sensibilité les serments de fidélité que les habitans de la Finlande viennent de me prêter par l'organe de leurs représentans.

' Les liens qui m'unissent à eux, affermis par ce mouvement spontané de leur affection, consacré par cet acte solennel, en deviennent plus cher à mon cœur, plus conforme à mes principes.

' En leur promettant de maintenir leur religion, leur lois fondamentales, j'ai voulu leur montrer le prix que j'attache aux sentimens de la confiance et de l'amour.

' J'implore l'Être tout puissant de m'accorder sa force et sa lumière pour gouverner cette nation respectable d'après ses lois et sa justice divine.'

A herald then made proclamation, and the solemn ceremony ended with prayers and the singing of the *Te Deum*.

Alexander remained a few days more in Finland, where he had already won all hearts by his frank and straightforward demeanour and the thoroughness with which he accepted the novel circumstances in which he found himself as a constitutional monarch. The Estates gave a grand ball in his honour, and he in turn invited the members to dinner. He also visited Åbo, where he was received with even greater enthusiasm by the authorities and by the University. On his return to Borgå, and before leaving Finland, he issued in French the following manifesto (March 23/

April 4), which is the concluding document of this important series of Constitutional Acts :

‘ Nous Alexandre Premier, Empereur et Autocrateur de toutes les Russies, etc., etc., Grand Duc de Finlande, etc., etc.

‘ Ayant réuni les états de la Finlande en une Diète générale, et reçu leurs sermens de fidélité, Nous avons voulu à cette occasion par un acte solennel, émané en leur présence et proclamé dans le sanctuaire de l’Être Suprême, confirmer et assurer le maintien de la Religion, des lois fondamentales, les droits et les privilèges dont chaque état en particulier et tous les habitans de la Finlande en général ont joui jusqu’à présent.

‘ En faisant promulguer cet acte par ces présentes Nous croyons devoir instruire en même tems Nos fidèles sujets de Finlande qu’en Nous conformant à l’usage antique et révééré de ce pays Nous regardons les sermens de fidélité prêtés par les états en général et par les députés des paysans en particulier en leur nom et en celui de leurs commettans, de leurs mouvemens propres et spontanés, comme bons et obligatoires pour tous les habitans de la Finlande.

‘ Intimément persuadé que ce peuple bon et loyale conservera à jamais pour Nous et pour Nos successeurs les mêmes sentimens de fidélité et d’attachement inviolable qui l’ont toujours distingué, Nous Nous attacherons à lui donner avec l’aide de Dieu de preuves continuelles de Nos soins assidus et paternels pour son bonheur et sa prospérité.

‘ À Borgå ce 23 Mars, 1809.

‘ ALEXANDRE.’

By special imperial command this manifesto was ordered to be translated into Swedish and Finnish, and read in all the churches in Finland, along with the Act of Assurance of March 17; and these two documents have ever since kept their place side by side on the walls of every church from the Gulf of Finland to the frozen north. For ninety years they have been pointed out by father to son as Russia's word of honour to Finland, and they are regarded—or were regarded until the proclamation of February 15, 1899, rendered them worthless—as the very foundation of the constitutional existence of Finland, placed by them 'in the rank of nations, under the empire of its own laws.' It is against these imperial assurances—against this solemn compact deliberately entered into by Alexander and renewed by each of his successors—that the whole force of Russian newspaper criticism, with one or two honourable exceptions, has been directed for some ten years. Denunciation, ridicule and misrepresentation have been employed in order to prove that the Finns are impudent impostors when they claim to have a constitution. It is sufficient to ask any intelligent European or American reader, regardless of his previous prejudices, to examine this series of documents of indisputable validity, and to say whether in all history, or in any place from Runnymede to Philadelphia, there is a clearer or more emphatic assertion of constitutional liberty and self-government than was accepted and confirmed at Borgå in 1809.

One is almost ashamed to discuss the pretensions that have recently been so laboriously manufactured in Russia against all this. Writers who base a grave

constitutional argument on a discrepancy between '*sujets*' and '*habitans*,' or between 'constitution' and 'constitutions,' when as a matter of fact both words are used indifferently in the documents before them, or who assert that when Alexander promised to maintain 'your' religion, he meant 'my' religion, and when he said 'your' country, he meant 'my' country, can have little respect for the intelligence of their readers. But I will endeavour to indicate the more plausible grounds on which objection is raised.

And first, as regards the Act itself, the corner-stone of the whole, M. Ordin points out quite correctly that there are discrepancies between the Swedish document which was read to the Estates, and officially promulgated, and the Russian document which was signed by the Emperor. If there were any real difference between the two, and if they stood alone and unexplained by the surrounding circumstances, it might be an interesting subject for academic controversy to decide whether the Finnish people, as parties to a contract, were bound by the document which was officially promulgated to them, and which alone they accepted, or by that which the Tsar signed, and which alone he intended them to accept. We have had in England Kings who did not understand our language. George I. had no English, and Walpole, as we know, managed him with 'good punch and bad Latin'; and it is more than possible that, what with the Latin and what with the punch, George I. had not at all times a precise idea of the British constitution, or of the significance of the documents which he signed. But it has not been suggested that the badness of Walpole's Latin had any more effect on the validity of

those documents than the goodness of the punch, or that the Elector of Hanover was absolved from the obligations imposed by the English Coronation oath because he thought it meant something else in German. Nor is the Act of Settlement invalid because George was not able to read it, and the document by which he and his successors are bound, and in virtue of which they occupy the throne, was the English version understood and accepted by the nation, and not the, possibly inaccurate, Latin version in which it was explained to the King.

But there is, happily, no necessity to pursue this point, for there is not, as a matter of fact, the slightest essential difference between the documents. Let us take M. Ordin's points in order :

In the second paragraph, where the Tsar expresses his desire to 'confirm and ratify the religion and fundamental laws,' the Russian version is that he desires 'anew' (*znov*) to confirm and ratify, etc. The omission of this word indicates, it seems, a crafty intention on the part of the Finns to ignore all that had gone before, and so to magnify the importance of this one document. This is somewhat obscure, for why should the Finns wish to ignore on the Wednesday the Tsar's French speech, by which they had been so profoundly moved and gratified on the Tuesday? Is it not more reasonable to presume that the discrepancy is due simply to Alexander's desire for accuracy and to his habit of verbally polishing his public utterances? As we have seen, he had in his opening speech spoken in the past tense of his constitutional pledge, although the pledge was not publicly made until the following day. Similarly, when the

wording of the Assurance was under consideration on the Saturday, there was no utterance, so far as the Diet was concerned, to which the 'anew' could refer, for the Tsar had not yet addressed the Diet, although he had given assurances to Baron Mannerheim and the deputation in St. Petersburg. Is it not probable that the word was added by the Tsar himself in the Russian version, when he recollected that its public announcement would, in order of time, follow the opening speech, and that by oversight the alteration was not at the same time made in the Swedish translation? At any rate, we may be sure that if the case had been reversed, and if the 'anew' had been found in the Swedish and not in the Russian, M. Ordin would have discovered in that fact an equally convincing proof of Finnish duplicity.

In the next case it is the Swedish version that is redundant. The Russian text confirms 'the religion and fundamental laws, as well as the privileges and rights, which each class in the said Grand Duchy' had enjoyed under Swedish rule. In the Swedish version, as we have seen, the words 'of the land' follow the word 'laws.' It is difficult to see the vital difference that is supposed to exist between the religion and laws of a land and those of the people who live in it.

M. Ordin's third grievance is that while the Russian version speaks of 'subjects,' the Swedish version speaks of 'inhabitants.' Is M. Ordin aware that in the draft of the speech with which the Emperor was to close the day's proceedings, he had with his own hand struck out the word '*sujets*' and replaced it by '*habitans*,' and that in his final manifesto issued to the Diet in the following week he used the two words

indifferently, '*habitans*' occurring twice and '*sujets*' once? Like the careful stylist he was, the pupil of La Harpe and the friend of Madame de Staël liked to vary his phraseology when he could do so without in any way altering the sense.

Next—and this has made a mighty noise in the Russian press—these conspirators against the sacred principle of autocracy make the Tsar speak in Swedish of the 'constitution' of Finland, whereas the Russian word (*konstitutsiam*) is in the plural. The singular, it seems, means a thing which no good Russian could approve of, whilst the plural simply means ordinary civil laws and regulations. This 'blunder,' says M. Ordin gravely, 'has fatally influenced the political relations between Finland and Russia.' But the Tsar himself does not support M. Ordin; for in numerous documents in which the Swedish translators had no hand, and notably in his opening speech, in which, as we have seen, he refers back to the Act which he had signed the day before, he uses the word in the singular ('*j'ai promis de maintenir votre constitution*'); and at a later date, when he still further emphasized the autonomy of the Grand Duchy by creating for it a separate Senate (February 9/21, 1816), he four times refers to the constitution he had granted to that country seven years before; and on each occasion, in a Russian document, he used the word (*konstitutsia*) in the singular. Evidently the added years had not brought to the monarch that matured *expertise* in the Russian constitution and the Russian language professed by M. Ordin.

Finally, the description of the document in the formal recital with which it ends is challenged. In the

Swedish it is called an 'Act of Assurance' (*Försäkringsakt*), and in the Russian an edict or diploma (*Gramota*). But the patience of constitutionalists who have been waiting for proof of 'forgery' will by this time be exhausted. They will care very little whether this document should be called *Gramota* or *Försäkringsakt*, or neither or both; they will judge it by its contents and by its circumstances, and they will conclude that the Tsar meant, and that his new subjects understood him to mean, to accept and to ratify the complete *corpus* of the constitutional and civil laws which the people of Finland had hitherto enjoyed under Swedish rule.

Placing the two documents side by side it is of course evident that their collation does little credit to the Tsar's clerical staff at his temporary 'palace' and seat of government in Borgå. These four or five discrepancies between two documents of so much importance should not have been permitted to exist, but in view of his practice of varying the phraseology of his utterances it is sufficiently obvious that they are due to the action of the monarch himself. When in Helsingfors, recently, the writer endeavoured to discover the original drafts, which would have settled this point; but they are not in the National Archives, having been destroyed, it is believed, in the great fire at Åbo in 1827. But the drafts of many contemporary documents, and notably that of the speech delivered by the Tsar on the same day, and immediately after the taking of the oath by the Estates, are still in existence, and they throw abundant light on Alexander's mode of composition. The draft of the speech, which is printed in full as delivered on page 40, is in places so altered as

to leave scarcely a line of the original. The substitution of '*habitans*' for '*sujets*,' which so alarms M. Ordin in the Act, is here effected by the Emperor himself ; and amongst other alterations he substitutes '*nation*' for '*peuple*'—a variation which would have afforded M. Ordin scope for a volume if it had occurred between a Russian and a Swedish version of the speech. In the final paragraph the phrases '*Etre Suprême*' and '*peuple bon et loyal*' are struck out in favour of '*Etre tout puissant*,' and '*nation respectable*'—not that the former were disapproved of, but that they were reserved for use in the proclamation issued a week later. This habit of alteration is alone sufficient to account for the discrepancies.

There are still two points left to those who would deny, in face of the events at Borgå, that Finland has a constitution. They say, in the first place, that the Tsar mentioned no specific laws in his Act of Assurance, and in the accompanying speeches and proclamations, and that therefore the two special statutes, on which Finland relies as defining the powers of the Sovereign and of the Diet respectively, were not meant by him to be binding ; and in the second place, by way of comprehensive objection to everything, that Russia's relations with Finland are not governed by the proceedings of the Diet of Borgå at all, but by the Treaty of Fredrikshamn, by which at a later date Sweden renounced all claims on Finland, ceding it *en toute propriété* to Russia.

If Alexander had mentioned some of the Swedish laws, and had thus tacitly excluded others, there would have been some point in the first of these objections ; but as he contents himself with including the whole

body of law in one phrase, it is ridiculous to suggest that he meant to pick and choose among the constitutional statutes—above all for the purpose of excluding two so recent and so important. It will be recollected that in the preliminary report on the Swedish constitution, made by his Majesty's direction by his Finnish Secretaries, special attention was directed to the events of these two years. But not only had the Tsar knowledge in advance of the constitution of Sweden—he deliberately based his whole Finnish policy upon it. So long as Sprengtporten was Governor in Åbo there was no need to explain a matter so familiar and so obvious, but when, in 1810, Count Steinheil, a stranger, became Governor, Alexander was at pains to draw up for his guidance a secret rescript, in which he explained that his intention had been not to coerce the Finns, but to win them by treating them better than they had been treated by Sweden. 'My object,' he said, 'in organizing the situation in Finland has been to give to the people a political existence so that they shall not regard themselves as subject to Russia, but as attached to her by their own evident interests, and for this reason not only their civil laws, but also their political laws, have been retained.'*

What those 'political laws' were is placed beyond doubt by the facts of the case. When the Empress Elizabeth invited the Finns to place themselves under Russian protection, and promised to leave to them their

* This important document, which bears date September 14/26, 1810, was first produced in this controversy by Professor Danielson. It is to be found in full in the original Russian, in the third volume of M. Dubrovin's 'Collection of Historical Materials from the Archives of the Imperial Chancery;' St. Petersburg, 1890.

own constitution, with all the rights, privileges, and liberties arising therefrom, she did not pledge herself to the statutes of 1772 and 1789 for the simple reason that these statutes were not in existence at the time. But she certainly pledged herself, if her offer had been accepted, to observe all the constitutional laws existing in Sweden in 1741. Similarly, when Catherine II. made her offer to Jägerhorn, the Finnish conspirator, in 1788, any pledge made by her would have included the Act of 1772. Indeed, as we have seen in the minute of the State Council, the Act is expressly and by name referred to. And when Alexander made his solemn and repeated pledges in 1809, what fundamental statutes could he possibly have referred to but those of 1772 and 1789, as well known and as familiar to statesmen of the time as was the Reform Bill of 1830 to the politicians of the last generation? The minutes of the proceedings of the Estates at the Diet of Borgå teem with references to these statutes which, naturally, formed the starting-point of the whole discussion, and Finnish writers have collected a continuous series of references to them in the official documents of the reigns of Alexander I., Nicholas, Alexander II., and Alexander III. Of these it will only be necessary to refer to one from each of the first three reigns by way of illustration.

In 1811 Alexander I. issued certain instructions to the Governor-General, which when examined were found to be irregular in one of their sections, which section the Emperor at once withdrew when it was pointed out to him that it was 'contrary to Section 8 of the Form and Government of 1772, and to Section 2 of the Act of Union and Security of 1789 respectively,

which statutes are numbered among the Fundamental Laws which His Imperial Majesty, by His Assurance to all the inhabitants of Finland, was on the 15/27 March, 1809, most graciously pleased to confirm and ratify.' If Alexander I. had not intended to confirm and ratify the Acts of 1772 and 1789, surely he would have said so in reply to such an appeal. Instead of that, he recognised its force and withdrew the offending paragraph. In 1826, Nicholas being on the throne, he came to the humane determination to suspend the death penalty in all ordinary cases, and in Finland he based his decree to that effect on the right of grace 'conferred on him by the Fundamental Laws.' Now, the only Fundamental Laws which bear on this point are Article 9 of the Law of 1772, and Article 1 of the Law of 1789.

It is scarcely necessary to refer to the reign of Alexander II., who so cordially accepted and carried out his obligations towards Finland, but one decree is worth citing out of many, as it shows the Sovereign uniting the two Acts for the protection of his legitimate rights. In sanctioning the Law of the Diet in 1869, Alexander issued the following decree :

'Reserving for Ourselves Our rights and privileges as they are confirmed and assured in the Form of Government of August 21st, 1772, and in the Act of Union and Security of February 21 and April 3, 1789, which rights have not been formally changed in the aforesaid Law of the Diet, We approve and confirm this Law of the Diet as an irrevocable Fundamental Law. In faith whereof we have to this set Our hand and seal.

'St. Petersburg, April 3/15, 1869.'

And M. Ordin asks us to believe that the Tsars knew nothing of, did not confirm, and were not bound by the Fundamental Laws of 1772 and 1789!

The objection that Finland must look for its constitutional rights, if there were any, within the four corners of the Treaty of Fredrikshamn need not detain us long. That treaty was a compact between Russia and Sweden, in which Finland had no part. How, then, can anyone suggest that it abrogates the terms of an altogether separate and distinct compact made 'of their own free will,' as the Emperor Alexander was never tired of repeating, between the Tsar and the Finlanders? Finland had already been united to Russia, and was in full enjoyment of its constitutional rights confirmed by its new Sovereign. It was necessary for Russia and Sweden to make peace, and the relinquishment by Sweden of all claims on Finland was an essential first condition of that peace; but Sweden had, altogether independent of the Treaty of Fredrikshamn, already forfeited all right to influence the destinies of Finland. The Swedish Envoy, Count Stedingk, fought hard on this point, and endeavoured to have a clause inserted guaranteeing the religion and laws of Finland; but Count Rumjantsoff maintained that the future of Finland was a matter of internal administration, and could not become the subject of diplomatic pledge. As between Russia and Sweden this contention was absolutely correct, and Count Stedingk had to content himself with a clause reciting that 'His Majesty the Emperor of All the Russias having already given the most manifest proofs of the clemency and justice with which he has resolved to govern the inhabitants of the provinces which he has

acquired, by generously and of his own spontaneous act assuring to them the free exercise of their religion, rights, property and privileges, His Swedish Majesty considers himself thereby dispensed from performing the otherwise sacred duty of making reservations in the above respects in favour of his former subjects.'

In this clause there are expressions to which objection might be taken from the Finnish point of view by strict constitutionalists, just as to the similar phrases in the Tsar's circulars to the foreign powers, but it can only be repeated that these documents were drawn up, not to define the relations of Russia and Finland, on which they had not the slightest influence, but to define the relations between Russia, including Finland, and the rest of Europe. And as regards foreign powers, Finland has never had, nor claimed to have in any proper sense of the word, a separate existence. Constitutionally, she is an autonomous Grand Duchy, with the Tsar as Grand Duke; diplomatically, she is incorporated in Russia, and can have no foreign relations. Count Rumjantsoff was concerned simply with making two points clear: first, that Sweden should not then or afterwards interfere in Finnish affairs; and, second, that the treaty did not confer Finland on Russia, but simply acknowledged that Finland was already rightfully under Russia's protection. As Count Rumjantsoff explained, in reporting to the Emperor, '*Mon principe était de montrer V.M. comme Maître de Finlande avant le traité.*' And so Count Rumjantsoff and the Emperor combine to destroy in advance M. Ordin's point, and to establish the fact that the relations between Russia and Finland did not

spring from the treaty, but had been definitely fixed months before the treaty was concluded.

If M. Ordin wishes to see how diplomacy expresses itself when a country is being handed over to another or to several others, and its institutions defined by treaty, he should consult the clause of the Act of Vienna dealing with Poland : 'Le Duché de Varsovie est réunie à l'Empire de Russie. Il y sera lié irrévocablement par sa Constitution, pour être possédé par Sa Majesté l'Empereur de toutes les Russies, ses héritiers et successeurs à perpétuité. Sa Majesté Impériale se réserve de donner à cet état, jouissant d'une administration distincte, l'extension intérieure qu'Elle jugera convenable. Elle prendra avec ses autres titres celui de Tsar, Roi de Pologne. Les Polonais, sujets respectifs de la Russie, de l'Autriche et de la Prusse, obtiendront une représentation et des institutions nationales.'

'Congress Poland' has not had a happy history. I am aware that some who have a right to speak with weight on affairs in Finland regret that the Grand Duchy did not at Fredrikshamn receive some constitutional guarantee. In my opinion, nothing could, in the interests of Finland itself, have been more disastrous. Poland, in spite of a treaty to which all Europe was a party, has disappeared from the rank of States. Perhaps it is not too much to suggest that the mere fact of being a European protégé made Poland troublesome, and that Russia, fearing the curb, became unduly harsh and suspicious of outside interference. What would have been the inevitable result if Finland had had a paper right to protection from Sweden—protection not strong enough to help, but

just strong enough to irritate? Can there be any doubt that under such circumstances Finland would long ago have shared the fate of Poland, and that, gloomy as the present situation may appear, the Grand Duchy would have been worse, not better, for the sham protection of an unworkable international guarantee?

Those who think that too much attention has been given to the trivial and self-contradictory arguments and assertions of the Russian Nationalist writers may be assured that these extraordinary misrepresentations and childish word-twistings have been persistently urged for years past, and have had deplorable effects even on what ought to be well-informed opinion in Russia. There need be no doubt that the present Tsar is anxious, like his predecessors, to act fairly and honestly to Finland, but the whole official atmosphere is so poisoned by lies, that the Tsar, overwhelmed with work that is ever in arrear, is sometimes the last man in Russia to hear the truth. And the 'unifiers,' who at present have the upper hand in Church and State in Russia, are determined that, as regards Finland at any rate, the truth shall not be known if they can prevent it.

CHAPTER V.

THE DIET AT WORK.

WHEN Alexander I. returned to St. Petersburg, after having so clearly and repeatedly emphasized the self-governing rights of Finland, he left the Diet to its novel labours at Borgå. It was not called on to legislate in our English sense of the word ; it had not to alter or reform the existing law, but rather, taking the administration of the country as it had been carried on when Finland and Sweden were one, it had to bring that administration into conformity with the new order of things. To this end the Emperor, in accordance with the Swedish constitutional practice, laid certain 'propositions' before the Diet concerning the 'future affairs' of the country, and the 'best means to regulate them in a manner applicable to the new situation of Finland, and to the circumstances in their different combinations.'

The Tsar's propositions to the Diet dealt with the future military organization of the country, the revenue, the coinage, and the formation of the Conseil de Régence, or Government Council, a local body which since 1816 has been called the Senate. This latter is one of Finland's peculiar institutions. It was, as will be

explained later, modelled on the old Swedish *Riksråd* or Council of State, and its combination of functions, advisory, executive, and judicial, is probably unique. Several of the representatives of the different Estates had been members of previous Diets at Stockholm, and were thus able to guide their less experienced colleagues; and on the whole the debates went smoothly, committees being formed to take into consideration the various proposals. The Tsar himself carefully abstained from exercising any influence or pressure. 'I have allowed you,' Alexander was able to say afterwards, 'perfect liberty in your deliberations. No influence, no authority except your own, has dared to cross the threshold of these doors.' At the same time, there was naturally continuous correspondence between the Secretary for Finland in St. Petersburg and the Governor-General as to the progress of affairs, and as to the date at which it would be convenient to close the Diet.

It is not necessary to follow these deliberations, which lasted from March till July. It is, however, to be remembered, in view of future events, that the question which the Emperor places in the very front of the programme of the Diet, that of military organization, is one which the War Office in St. Petersburg now claims to control, on the ground that its 'intimate connection with the general interests of the Empire' forbids that it should be 'exclusively treated and decided by the institutions of the Grand Duchy.' The legislation of Alexander II. supplies, as we still see, ample material for demolishing this novel pretension, but it is satisfactory to notice that on every point raised by the present War Minister,

Alexander I. is on the side of the Finns and against the new order of Russian officials. The original draft of his propositions to the Diet is very interesting, as throwing light on this point. There is here no question of Finnish mistranslation, yet it would be difficult to imagine a more absolute justification for the attitude, on the military question, of the Extraordinary Diet of 1899 than that provided in advance by Alexander himself.

Incidentally, it may be added, the Emperor disposes of the argument of those who pretend that the Borgå Diet was simply an oath-taking body called to give allegiance once for all to Russia, and then to disappear. The Estates are invited to take into their mature consideration a matter so important for the public economy, and to provide, 'until the next Diet,' ways and means for carrying out the necessary changes. Finnish soldiers are to be placed only under Finnish officers, are not to be employed out of Finland, and nothing contrary to Finnish law is to be done in this matter, 'either now or in the future.' Throughout the whole document there is not a shadow of suggestion that Russian interests as apart from Finnish are at issue. The question is posed as one concerning Finland and its Grand Duke. The Emperor's words in the original French draft are :

'S.M.I., persuadée que les braves Finnois ne seront pas les derniers de se ranger sous les drapeaux de l'honneur dans toutes les occasions où la défense de leur patrie les y appelle, demande l'avis mûr des États de quelle manière ils croient que la défense du pays par les combattans nationaux peut à l'avenir être organisée. A l'assemblée prochaine des États S.M.I.

admettra cette matière à la délibération des États. S.M.I. ne voulant pas employer ces troupes hors les frontières de la Finlande, veut aussi bien permettre qu'ils seront sous la discipline pratiquée auparavant dans le pays, et sous le commandement des officiers de leur propre nation. En attendant S.M. prendra sans délai des mesures pour faire lever des régiments en Finlande auxquels personne ne sera engagé sans son consentement libre, excepté ceux qui, en conséquence des lois, sont sujets d'être enrôlés, de manière que des conscriptions militaires ou autres moyens à cet égard contraires aux lois, ne seront point employés ni présentement ni à l'avenir. . . . S.M.I. invite les États de prendre en mûre délibération cet objet si important tant pour l'œconomie publique que pour l'intérêt individuel, et d'établir jusqu'à la prochaine Diète un juste milieu de ce qu'il faut pour fournir à l'État des moyens suffisans,' etc.

The Diet having finished its deliberations, the Tsar returned to Borgå and closed its sittings on July 7/19, 1809, in a speech which is one of the most vigorous and plain spoken of all his utterances. He repeatedly refers to Finland as a 'nation' governed by its own laws, vehemently repudiates all idea of 'foreign' influence of any sort being brought to bear on its decisions, and shows no knowledge whatever of those recently-invented 'legislative questions in regard to Finland which, on account of their intimate connection with the general interests of the Empire, cannot be exclusively treated and decided by the institutions of the Grand Duchy,' and which are therefore to be finally decided in St. Petersburg by Russian laws and Russian officials. His words were as follows :

‘En réunissant les États de la Finlande en une Diète Général, j’ai voulu connaître les désirs et les sentimens de la nation sur ses véritables intérêts.

‘J’appelai votre attention sur les objets les plus importans à votre prospérité. Me reposant entièrement sur la loyauté de votre caractère, fort d’ailleurs de la pureté des mes intentions, j’ai laissé à vos délibérations une parfaite liberté. Aucune influence, aucune autorité étrangère à la vôtre n’osa franchir le seuil de ces portes. J’ai veillé sur l’indépendance de vos opinions ; absent, je m’ai trouvé au milieu de vous par les vœux que je ne cessais de faire pour le succès de vos travaux.

‘Les avis que vous venez d’émettre portent le caractère de la sagesse et de l’amour de la patrie. Je les prendrai en considération dans l’œuvre importante que je médite pour votre prospérité.

‘Vos travaux cessent dès ce moment, mais en vous séparant vous avez des devoirs essentiels à remplir.

‘Portez dans le sein de vos provinces, imprimez dans l’esprit de vos compatriotes la même confiance qui a présidé ici à vos délibérations. Inspirez-leur la même conviction, la même assurance sur les objets le plus importans à votre existence politique, le maintien de vos lois, la sûreté personnelle, le respect inviolable à vos propriétés.

‘Ce peuple brave et loyal bénira la Providence qui a amené l’ordre de choses actuel. Placé désormais au rang des nations, sous l’empire de ses lois, il ne se ressouviendra de la domination passé que pour cultiver des rapports d’amitié lorsqu’ils seront rétablis par la paix.

‘Et moi, j’aurai recueilli le plus grand fruit de mes soins quand je verrai cette nation, tranquille au dehors,

libre dans l'intérieur, se livrant sous la protection des lois et des bonnes mœurs à l'agriculture et à l'industrie, par le fait même de sa prospérité, rendre justice à mes intentions et bénir ses destinées.'

Most of the anti-Finnish writers seem to fight shy of this speech, so clear in its assertion of Finnish nationality and Finnish law; but some of them have fastened on the third paragraph, and have endeavoured to extract comfort from the fact that the Tsar speaks of the '*avis*' and not of the '*décisions*' of the Estates. Here, again, the difficulty arises simply from the impossibility in which the writers seem to find themselves of comprehending constitutional procedure. They imagine that a Parliament, whether composed of four Estates, as in Finland, or of three Estates, as in England, claims a power of legislation apart from the Sovereign, and that there is no sovereignty in constitutional countries. A glance at the preliminary recital of any British Act of Parliament would have prevented them from falling into this blunder. The House of Commons is a very powerful body, but it has no power to make a law. Every law in England is 'enacted by the Queen's most Excellent Majesty, by and with the *advice* and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled.' 'Advice'—'*avis*'—the very word is used in constitutional England to-day that was used by the Emperor-Grand Duke in Finland ninety years ago.

It is true that the comparison goes no further. In England the assent of the Sovereign is given in the presence of Parliament itself, and for an English Sovereign to declare in proroguing Parliament that

he would 'take into consideration' the Bills passed by the two Houses would, like the formula '*le Roi s'avisera*,' be equivalent to a veto. But that was not so in Sweden. There it was not customary for the King to sanction laws at the end of the Session, but at some later date; and even if the first Finnish Diet had been called on to consider formal proposals for new laws, which it was not, and if the Emperor-Grand Duke had intended to sanction and promulgate those proposals as adopted, the Diet would still, according to Swedish procedure, have been dissolved without the Tsar's assent being signified to those laws. Even under Alexander II., whose unquestionably constitutional action is a cause of bitter regret to the Russian Nationalists, this was the course pursued. The law of the Diet, for example, which was passed by the Estates in 1867, was not adopted and promulgated until 1869, and the Military Service Law passed in 1877 was only promulgated by Imperial decree in the following year. From our modern English point of view, the Borgå Diet represents Parliament in a comparatively undeveloped form. But the essential principle was there. It was not Alexander's business to create a brand new modern Parliament for Finland: he had to recognise and act with a local body modelled on Swedish Parliamentary institutions as they existed at that time, and this he faithfully did. The Swedish Diet was, historically, not a development of the old provincial Folktings, which were really legislative, but of the King's Council, which was primarily advisory, and its terminology bore traces of this origin even after it had become the Supreme Council of the nation.

The executive powers of the Swedish Kings out-

side or alongside the law were very considerable, and those powers the Tsars, as Grand Dukes of Finland, have inherited. But even in matters which the King could himself decide without the consent of the Estates, it was customary, although by no means an invariable practice, to consult the Diet, and the word '*utlåtande*' (*avis*) appears to have been used for the response of the Diet in both cases. In using the word Alexander, so far from making any constitutional reservation, was simply following the Swedish practice as explained to him in advance by the Finnish Secretary. 'The King,' said Rehbinder in his memorial, 'has the right to summon the Estates to a Diet, where he submits to them the matters on which he wishes their advice (*avis*).'

The Swedish practice also explains the circumstances alleged against Alexander's Diet that it was never again summoned, and that his successor Nicholas also ruled without a Diet. But the old Swedish Diet had never secured that control over the annual revenue to which we have so long been accustomed. The King could impose no new taxes, but a tax once legally imposed was levied from year to year until repealed. Annual Parliaments had never been the rule. When fresh taxation was necessary, or new laws called for, the King summoned a Diet, but this was a matter within his own discretion as to time. It was most undesirable and inconvenient for Finland to have to go for half a century without a Diet, but it was not a violation of the Constitution.

To show that it was not the deliberate intention of Alexander I. to do away with the Diet as soon as he had secured from it a recognition of his sovereignty, it

is sufficient to refer to the numerous instances in which he and his successor referred to the matter. As we have seen, Alexander in his very first business communication to the Diet speaks only of carrying on certain financial arrangements '*jusqu'à la prochaine Diète*,' and in 1816 and 1817 he still talks of a coming Diet. But it never came. The early enthusiasm for progress and constitutional government yielded to gloomy mysticism and reaction. Madame de Staël and the bright hopes of youth were replaced by Frau von Krüdener and the Book of Daniel, and the Tsar who once led all Europe ended obscurely at Taganrog as one of the men who just missed being great. His successor, Nicholas, had no constitutional weaknesses, but he respected the settlement of 1809, and twice, in 1826 and 1827, we find him explaining as reasons for not calling a Diet 'circumstances and the pressure of the cares of State.' The cares did not diminish, and the unsolved riddle of Russian government crushed Nicholas as it had crushed his brother—as it was to crush his son and grandson. They still talk of him in Helsingfors, of the stately figure of the earlier visits, the very embodiment of imperial dignity and strength, and then of the prematurely-worn and broken-hearted man who passed through after the ground on which he had built had begun to give way beneath his feet at Sebastopol. The sphinx had claimed another victim.

CHAPTER VI.

THE NEW ORDER IN FINLAND.

THE reorganization of the machinery of government in accordance with the new situation in Finland was naturally a matter of time and experiment. Even before the Diet had finished its labours, Sprengtporten, whose temper did not improve with age, had come to loggerheads both with Speranski on the one side, and with the Finlanders on the other, and was permitted to resign, General Barclay de Tolly being appointed in his place. But the great commander whom Scotland had given to Russia was urgently needed in St. Petersburg, where preparations were going on in view of the inevitable quarrel with Napoleon, and in 1810 he was succeeded as Governor-General of Finland by General Steinheil. Immediately under the Governor, and acting, in part at least, as his Ministers, came the Government Council, the first Council of fourteen members being elected by the Diet itself. Half the members were assigned to the Department of Justice, forming, in fact, the Supreme Court of the Grand Duchy; the others constituted the Department of Economy, being placed in charge of the different branches of the administration.

This Council, now known as the Imperial Senate of Finland, had been decided upon as the most convenient form of government, and the most conformable to Swedish usage, by a committee chosen by the Emperor for the purpose ; and with the practical spirit which characterized all the proceedings of that eventful period, the original scheme was, with few alterations, accepted by the Diet and approved by the Tsar. The form of government then adopted has since, with a few unimportant modifications, continued to work smoothly and efficiently. In St. Petersburg Finnish affairs were at first, as we have seen, entrusted to Speranski, a Russian official, as Secretary for Finland ; but ultimately, towards the end of 1811, a regular Finnish secretariat was erected with a Committee of Finlanders and a Minister-Secretary of State, whose duty it was to report to the Tsar on all matters affecting him as Grand Duke of Finland. This Committee for Finnish Affairs might seem superfluous, for Finland had already its fully-constituted Government in Åbo, but Alexander meditated a division of labour. By the constitution there were certain things that had to be done through the Diet, others which only required the executive decree of the Grand Duke. It was for advice respecting this latter class of cases that Alexander established the Committee. The first section of the instructions is as follows : ' The Committee for Finnish Affairs is established for the revision and preparation of cases which in accordance with the Fundamental Laws and the statutes for the Government Council of Finland have to be decided by the Sovereign.'

In view of the suggestion that Alexander was lured

into the adoption of numerous unautocratic measures at this period by the trickery or the treachery of the Finlanders, it is worth repeating that this idea of concentrating Finnish affairs in St. Petersburg into the hands of one minister, having under him a special Committee, was the Tsar's own. The only alteration he made in the original draft of the scheme for the administration of Finnish affairs by a Government Council was in Article II., which at first ran as follows: 'Le Gouverneur Général présentera par les Ministres toutes les affaires qui sont de leur ressort et recevra par la même voie les ordres suprêmes de son Souverain.' This Article was struck out by the Emperor with his own hand, with the added note: 'Cet article est excepté. Toutes les représentations seront faites directement à moi.' It is pretty obvious that if Finnish affairs had had at every turn to run the gauntlet of a series of Russian ministries, there would have been small chance of anything ever being done, whilst the whole spirit of Finnish law and Finnish constitutionalism would speedily have disappeared. In spite of pledges, Finland would by degrees have drifted insensibly into the position of a Russian province. Thanks partly to its constitution, and partly no doubt to the two able men who occupied the office in succession during three reigns, the Finnish secretariat has proved the best bulwark of the Finnish constitution, and, to the chagrin of the anti-Finnish writers, the Tsar himself was its originator.

Alexander lost no time in sanctioning the scheme adopted by the Diet, and in doing so he supplies us with what appears to be the first instance of the means by which under his rule an *avis* of the Diet became

law. The wording of the enacting paragraph of the decree was as follows: 'Ayant entendu les avis des États et considérant qu'une administration général revêtue d'une autorité suffisante pour le maintien des lois et basée sur des principes libéraux ne manquera pas d'exercer le plus salubre influence sur le bien-être de l'état, Nous avons décrété et décrétons ce qui suit,' etc. Perhaps the desire to have the new institutions of Finland in full working order with the unanimous consent of the people before the Treaty of Peace with Sweden came to be signed had something to do with the smoothness with which this business went through. At any rate, the Council was constituted at Åbo August 6/18, and on August 28/September 9, Count Rumjantsoff was able to write from Fredrikshamn that he had silenced the demand '*trop réitérée*' of Count Stedingk by presenting the accomplished fact of the Tsar as 'Maître de Finlande avant le traité.'

This same decree of the Emperor is notable as containing another of those answers by anticipation to later objectors of which Alexander's utterances are so full. In it he speaks of his new subjects not as 'subjects,' not even as '*habitans*,' but as '*citoyens de la Finlande*;' and in order apparently to prevent the possibility of mistaking the new State for a Russian province, he designates the several governmental districts of the Grand Duchy as 'provincial administrations'—provinces of which the 'central point,' the 'supreme tribunal,' was to be found, not in Russia but in Finland. In explaining the necessity for the Government Council, Alexander says:

'Parmis les moyens d'assurer la prospérité de la

Finlande, l'établissement d'une administration générale Nous a paru d'une nécessité urgente. Il importait aux bienêtre de l'État que les administrations provinciales eussent un point central un tribunal suprême qui pût les diriger, maintenir l'unité de principes, assurer la force et l'action de la loi, veiller à la distribution de la Justice et imprimer un mouvement salulaire à la propagation des lumières et aux progrès de l'industrie.'

Needless to say, the writers in the Russian press shut their eyes when they come within sight of declarations like this, which make their assertion that Finland is merely a Russian province look so foolish. But that is a small matter to writers who can ignore even the explicit statement of Speranski, who, as Secretary of State to the Tsar, knew the Imperial mind better than any other—'Finland is a State (*Gosudarstvo*) and not a province (*gubernia*).'

There was only one thing more that Alexander could do to prove, by deeds as well as by words, the unity and autonomy of Finland as a State ; and he did it. It will be recollected that under Peter the Great and his daughter Elizabeth certain portions of conquered Swedish territory, including the fortress of Viborg, had been retained and annexed by Russia and governed as a Russian province. There was, therefore, a simple expedient before Alexander if he proposed to govern Finland as a province. He had only to assimilate its administration to that already at work in the old Finnish province of Viborg, and the thing was done. There could have been no more talk of Finland as an autonomous State. What he did was precisely the reverse. Alexander resolved to restore Viborg to Finland and to the Constitutional Govern-

ment it had so long been deprived of, so that the self-governing Grand Duchy should resume its old boundaries as before the Treaty of Nystad in 1721. In the Act completing this voluntary transfer of Russian territory to Finland, on December 11, 23, 1811, Alexander revives the judicial and ecclesiastical authority of Åbo over Viborg; and in a later decree, issued on the eve of the reunion, which was fixed for New Year's Day, 1812, he provides for Viborg's constitutional representation in the Diet as follows:

'In the province of Viborg the right of the Estates to send representatives to the Diet is to be decided in accordance with the prescriptions of the constitution of the country.' And in the original draft of this document, the Emperor is seen in another place to have made alterations in favour of Finland; the Secretary had written in the original: 'Ayant en vertu de notre manifeste du 11 December, 1811, réuni le Gouvernement de Wibourg au Grand Duché de Finlande, incorporé à notre Empire.' But the Emperor with his own hand struck out the words 'incorporé à notre Empire.' Finland was a State united to Russia, not a province incorporated in it. Yet another point. During the eighty years of Russian rule the province of Viborg had lost much of its Finnish character. Russian proprietors had settled in the country, and brought their serfs with them. So complete was the difference at that date between Russian and Finnish law, that when Viborg was restored to the Grand Duchy these serfs became *ipso facto* free. 'Finland was governed by its own laws.' And a suggestive distinction between Russian administration and Finnish was illustrated by the fact that whereas

Russia had employed 217 officials of various degrees to rule this little province, the number was at once reduced by Finland to 89.

The military organization of the Grand Duchy also called for settlement. On this matter the Emperor had, as we have seen, demanded the *avis mûr* of the Estates, and two manifestoes were devoted to it, bearing date March 15/27, and July 20/August 1, 1810. The arrangements then decided upon have in themselves no present importance, but, in view of the recently invented doctrine of the 'general interests of the Empire,' which are supposed to justify the Russian War Office in deciding Finnish military questions without regard to the opinions of the Diet, it is necessary to observe the principle upon which, in accordance with his constitutional pledges, Alexander acted. In the first document he reiterated as usual that he governed 'Finland, as a free nation in the enjoyment of the rights guaranteed it by its constitution,' as a country whose inhabitants had, of 'their own free will' (*de leur plein gré*), through their representatives, taken an oath of fealty to him. He next pointed to his acts during the past year as justifying the confidence reposed in him. 'Tous les actes,' he declared, 'émanés jusqu'ici pour l'administration intérieure de ce pays ne sont qu'une suite et une application de ce principe. Le maintien de la religion et des lois, la réunion de la Diète, la formation du Conseil de Régence au sein de la nation, la conservation intacte de l'ordre judiciaire et administratif, en sont des preuves qui doivent assurer à la nation finnoise les droits de son existence politique.'

After this introduction the Emperor came to the

point at which he was aiming, which was that in military matters also it was the laws of Finland and not those of Russia that should prevail: 'Parmi les institutions qui ont du fixer toute Notre attention, l'organisation de la force militaire est une des plus importantes. Ayant résolu de ne rien introduire qui ne soit conforme aux lois existantes, Nous sommes décidé à conserver en Finlande l'organisation militaire telle qu'elle à existé avant ce temps, en l'adaptant d'avantage au moyens du pays et au bienêtre de ces habitants.' And in the further manifesto of July, dealing with the method of assessment for meeting the expenses of the new military force, he expressly explained that he had adopted that agreed to by the Committee of the Diet 'as most conformable to the existing laws and usages and as the best proportioned to the estimate of necessary expenses drawn up for the year by the Government Council.'

The general basis for the government of the country being thus fixed, Finland drops into the background for a time. The country had suffered terribly from successive devastations; the population had fallen to little over 800,000; even with the addition of Viborg it only amounted to 1,000,000, and agriculture, industry, and the general welfare of the people were naturally in a very backward state. It was not till 1821 that the Emperor, in one of his visits to the country, fixed upon Tammerfors, with its enormous water-power, as the spot for the future manufacturing capital of the Grand Duchy, his foresight being fully justified by the present prosperity of the Manchester of Finland, with its annual output to the amount of over 20,000,000 marks. But all this was in the future.

What Finland then required was rest and peace, and this she happily enjoyed even during the stirring events which soon called on Alexander to exert every effort for the maintenance of the very existence of his empire.

The friendship of Tilsit and Erfurt had long since given way to open enmity between Napoleon and Alexander. Napoleon ruled Europe to the Baltic and the Adriatic; Austria and Prussia were his vassals. Only in one remote corner of Portugal, where Wellington, half-abandoned by his country, held grimly to the lines of Torres Vedras and bided his time, was there any resistance to his supremacy in the West. But even in the East there must be no rival. Napoleon's arrogance since the birth of the King of Rome had developed into something hardly distinguishable from insanity, and an invasion of Russia was only a question of time. Alexander strained every nerve to meet the threatened danger, but, as usual, the Russian army in the field bore little resemblance to that which had existed on paper in the St. Petersburg War Office, and, later on, when the time came to strike and Napoleon stood ready with Frenchmen, Poles, Bavarians, Italians, Austrians, and Prussians under his standards to the number of nearly 500,000 men, Alexander could count up barely 200,000. The situation was serious; Moscow could perhaps be defended, but if the defence of St. Petersburg had also to be undertaken Alexander was lost, and it was known that Napoleon's plan was to enlist Sweden against Russia by the promise of the restoration of Finland, and so to weaken and divide the Russian forces.

But here the Tsar's good work in Finland brought its reward. On April 3/15, 1812, he tested the dis-

position of the people by the issue of a manifesto. He contrasted the peace and progress enjoyed by Finland under his rule with the anxiety and dread from which the rest of Europe suffered : ' While other States have been convulsed by internal strife and disturbances, or have suffered under foreign oppression, you have, under the shelter of your laws, enjoyed the blessings of peace and freedom. The future promises to you the same blessings. The efforts of your Government have only this aim. Your country is the only one which, secured in the possession of its ancient rights by the very conquest, has entered under foreign rule without encountering aught but the repeated benefits enjoyed by its inhabitants.' The answer was unmistakable. Finland was loyal to its benefactor. Later in the summer, after Napoleon had crossed the Niemen with 450,000 men, Alexander had a personal interview at Åbo with Charles John Bernadotte, Napoleon's former Marshal, now virtual Regent of Sweden, and persuaded him to form an alliance against his old chief, and to renounce all claims on Finland, Norway being promised to Sweden as compensation. Sweden also made a treaty with England, and Finland, so far from requiring an army to hold it down and to protect St. Petersburg, raised three regiments of rifles, which did garrison duty in the Russian capital, whilst all the local Russian troops, under the command of the Governor-General, Count Steinheil, were free to march against Napoleon. Is there another instance in history of a conqueror having in less than four years so completely gained the affection and the confidence of his new subjects? It was a result equally creditable to Alexander and to Finland.

When the strain was over and Alexander had returned from Leipzig and Paris and Vienna as the head of the Holy Alliance, and the most brilliant and powerful sovereign in Christendom, Russia and its ruler might well have hoped that they had definitely emerged from the half-savage and Asiatic stage of the Pauls and the Peters, and entered the European family. But there was nothing but disappointment and embitterment in store for the kindly and truth-loving Tsar. He had no heir, none of his plans seemed to succeed ; conspiracy began to show its head in Poland and in Russia, and the Prince who had begun as an enthusiast for the French Revolution and a theoretical Republican, ended in blind, panic-stricken reaction and repression. But Finland, regardless of conspiracy and reaction across the frontier, remained after the war as before it, 'safe under the shelter of its own laws, and secure in the possession of its ancient rights.' Once more, before the darkness closes in, we see the Tsar, all his hopes and plans for Russia thwarted and tangled, turning with a touch of his old buoyancy to Finland. Taking advantage of the trifling change involved in the alteration of the name of the Governing Council, Alexander, for himself and his successors, summed up and reiterated his pledges to the Grand Duchy. The proclamation of February 9/21, 1816, is one of the most definite and comprehensive of the whole series, the only omission to be noticed being that of any reference to the calling of the Diet. But, seeing that we are now in full reaction and that free Parliaments are in danger all Europe over, that is scarcely to be wondered at. Even England, under Lord Castlereagh, is working up for Peterloo, the Six

Acts and the Cato Street Conspiracy. But the 'separate constitution' and the Supreme Government of Finland are declared to be safe, and M. Ordin will observe that, writing in Russian, and far away from Borgå and the influence of the deceitful Finns, the Emperor repeatedly uses the word 'constitution,' and uses it in the singular (*konstitutsia*). This is the voluntary declaration made by the Tsar to Finland seven years after his original Act of Assurance :

'Since the union of the Grand Duchy with Our Empire, the prosperity of that Country has always proved one of the dearest objects of Our attention and care. We have, therefore, at every opportunity endeavoured, by measures directed towards the common good, to obtain from Our Finnish subjects that fidelity and devotion which We, as the authority placed over them by Providence, had a right to demand, and of which, as We acknowledge with satisfaction, We have received so many unmistakable proofs.

'Assured that the Constitution and the Laws which, in conformity with the character, the customs, and the civilization of the Finnish people, have through a long series of years formed the basis of their civil liberty and peace, could not without danger be limited or altered, We, from the first hour of Our Sovereignty over the Country, not only confirmed in the most solemn fashion the Constitution and the Laws, together with the liberties and rights of every Finnish citizen arising therefrom, but also after due consideration together with the assembled Estates of the Country, We decreed a special Government, composed of Finnish men, under the name of the Government Council, which has till now carried on in Our name the Civil adminis-

tration of the Country, acting also as the Final Court of Appeal, independent of every power but that of the Laws, including those which We, as Regent, exercise in conformity with the same.

‘ By such means We have made clear the principles which have guided Us, and shall continue to guide Us, in dealing with Our Finnish subjects, and have also confirmed for all time the assurance of a separate Constitution for the Country, under Our Sceptre and that of Our Successors.

‘ And now, having brought to a happy conclusion, together with the Powers allied to Us, and with the help of the Almighty, matters affecting the safety of Our Empire and the tranquillity of Europe, and having found the long-desired opportunity to devote Our energies to the internal affairs of Our Empire, and to those relating especially to Finland, without hindrance from foreign cares, We find it convenient, in order to mark more clearly Our intention with regard to the organization of the above-named local Administration of the Country and its immediate relation to Our person, to confer upon it, in conformity with the denomination of the highest Departments of Government in Our Empire and in the Kingdom of Poland recently united to it, the name of Our Senate for Finland, without change, however, in its present organization, and still less in the Constitution and Laws by Us ratified for Finland, which We in all points hereby further confirm.

‘ We at the same time most sincerely promise that the members of this Our Finnish Senate shall in the future, as in the past, be chosen solely from among native or naturalized Finnish citizens ; and accordingly

We order and command all Our Finnish subjects, and all whom it may concern, to yield obedience to all such ordinances as may in Our Name and by Our Authority be decreed by Our former Government Council for Finland under its future name of Imperial Senate.'

Three years later Finland had an opportunity of personally displaying its gratitude to Alexander I. He visited the country in the autumn of 1819, and seemed to find, as did a later Alexander, consolation for the trials and disappointments of St. Petersburg amid the simple, law-abiding population of the Grand Duchy. He travelled many hundreds of miles by land and water, visiting lakes, rivers, and cataracts, 'displaying everywhere,' says a Finnish writer, 'the most heart-winning benevolence, and receiving in return every possible mark of unfeigned enthusiasm and affection.' At Abo he saw the last of the glories of that city as capital of Finland; and at Helsingfors he was able to superintend the first preparations for the transfer to the new capital of the various public bodies.

The only approach to friction between Alexander and the Finlanders occurred in the closing years of his reign, when, on the death of Count Steinheil, in 1823, the office of Governor-General was for the first time filled by a Russian soldier knowing little of the conditions under which he was to rule. The first Governor had been a Finlander; the second, General Barclay de Tolly, was of Scottish origin, and in any case was in civil matters Governor only in name; Count Steinheil was an Esthonian, and able to comprehend the position of the Baltic races; but Count

Zakrevski sought to manage the Grand Duchy as he would manage a brigade. He began by drawing up a series of ordinances, for which he obtained the Imperial authorization without the necessary intervention of the Finnish authorities. The situation was, in fact, closely analogous to that of February, 1899, when the manifesto and the new statutes were irregularly forwarded to the Senate. But Alexander, although far gone in the reaction, was still open to remonstrance from Finland. The Senate refused to promulgate five decrees to which the Imperial signature had thus been attached in violation of the Constitution, and drew up instead a unanimous protest, in which the refusal was justified on the ground of the Governor's 'forgetfulness of ratified forms.' Alexander, mindful of his pledges, saw that the mistake was rectified, and the Governor was required in the future 'to present his reports through the proper constitutional channels.'

CHAPTER VII.

NICHOLAS I.

THE unexpected death of Alexander at Taganrog in the winter of 1825 was the cause of a curious constitutional complication. Alexander had no son, and for many years the Grand Duke Constantine, who was only two years his brother's junior, had been regarded and treated everywhere as heir to the Throne. He joined in the Imperial conferences at Erfurt, where he could scarcely be kept from openly resenting the arrogance of Napoleon; he took part, by the Emperor's side, in the campaigns of 1812-1814; he led the Guards at Leipzig, when they wiped out the stain of Austerlitz; and he was present at the Congress of Vienna. All this time Nicholas, who was the son of Tsar Paul's second marriage, and who belonged almost to another generation, lived in retirement, and spent his time in foreign travel, or in attending to his duties as an officer of Engineers. When Alexander died, Constantine was Governor-General of Poland, and in his absence all the public bodies and the Generals, Grand Duke Nicholas amongst the number, took the oath of allegiance to the Emperor Constantine. The Governor and Senate and judges in Finland did the same. But

in Russia the succession is regulated by a Family Law, which gives extraordinary powers to the reigning Tsar ; and when the documents came to be examined, it was discovered that not Constantine, but Nicholas, was his brother's successor.

Cherchez la femme. Constantine, sent to rule the Poles, had succumbed to the charms of a Polish Countess. He got rid of his wife, a Princess of Saxe-Coburg, and married the Countess Grundzynska. The Tsar thereupon required from him a renunciation of his right of succession in favour of his brother Nicholas, and a formal Family Act to that effect was drawn up and placed in the archives. For some reason, however, the transaction was kept secret, Nicholas himself remaining as ignorant as the rest. This was in 1822, and Alexander, who was then only forty-five, and counted on a score of years of life, doubtless thought that many things might happen that would render the promulgation of the change unnecessary. When the unexpected happened, Constantine does not seem to have repented of his choice. On his brother's death, although power was within his reach—he was indeed in a sense already Tsar, for he had been proclaimed, and the authorities had sworn allegiance—he clung to his Countess, and sent to St. Petersburg a fresh renunciation. Nicholas then accepted the situation, and on December 24 issued a manifesto announcing his accession to the throne. The previous oath-takings were treated as null and void, and allegiance to Nicholas I. was sworn all over the empire, in Poland and in Finland.

It was a critical time for Finland. Speranski, the best friend the Grand Duchy had among the Russian

officials, had long ago fallen from power. Zakrevski, the Governor-General, resented the constitutional checks to which he found himself subjected. The new Tsar was probably entirely ignorant of the peculiar situation. But the Grand Duchy was fortunate in possessing in Count Rehbinder a Secretary of State with rare qualities of prudence, tact and firmness, and on the very day of the acceptance of the throne by Nicholas, December 12/24, 1825, the Act of Assurance of the Liberties of Finland was signed by the new monarch in terms similar to those drawn up by his brother. The only necessary alteration was in the preamble, where, in place of the phrase 'Providence having placed Us in possession of the Grand Duchy of Finland,' the words 'Having come, by the will of Providence, into hereditary possession of the Grand Duchy of Finland,' are substituted.

Many plans were upset by the sudden death at Taganrog, not the least important being those of the high officers, who in St. Petersburg and Kieff were quietly plotting to send Alexander along the blood-stained road that had already been trodden by his father and his grandfather. The would-be assassins, the Decabrists as they were called, from the month in which their plans came prematurely to a climax, had fixed on May, 1826, for their outbreak, and as there was much discontent with the reactionary and tyrannical courses into which Alexander had drifted, they had good hopes of carrying the army with them. Whether they meant to upset the dynasty altogether, or simply to place Constantine on the throne, is not quite clear, probably it was not clear to themselves. One at least of the leaders, Colonel von Pestel, was a republican,

and among his papers was a complete constitution for Russia on the model of that of the United States of America; others would probably have been content with Constantine and a constitutional monarchy.

This latter was the form the movement took when Alexander's death forced the conspirators to strike at once. Counting on the glamour that always surrounds the name of an ill-used heir, they declared Nicholas to be a usurper of the rights of his brother, and called on the army and the people to support Constantine and the constitution. A military outbreak was attempted in the capital on December 26, but the real leaders were still in the south, and the mutiny was a fiasco. A whiff of grapeshot swept away the Decabrists, and Nicholas, having hanged half a dozen of the leaders and sent the rest to Siberia, took a firm seat on the throne. Finland and Finnish officers had had no hand in the business, but the Grand Duchy suffered, as did Russia and Poland, for the crimes of a few officers who had not realized that seventeenth-century crimes were out of fashion in Russia. The new Emperor, soured at the very outset of his reign, determined to rule with a rod of iron, and the whole country was managed from the point of view of the army.

Nicholas, however, if severe, was not bloodthirsty. He practically abolished the death penalty in Russia as well as in Finland, and he recognised and on the whole respected the constitutional rights of the Grand Duchy. But there was no progress, no development possible, under his government, and the Polish rising in 1830 confirmed him in his suspicion and dislike of constitutional government. Finland, always orderly and law-abiding, was wise enough to recognise the

situation, and afford no pretext for interference from St. Petersburg, where Rehbinder was ever on the watch. The Committee for Finnish Affairs indeed was abolished, but its disappearance only seems to have strengthened the hands of the Secretary of State, whose office was confirmed and secured in the decree dissolving the Committee. The Finlanders are accustomed to a long winter ; they know that there is life under the deep snow, and that the spring is coming. The constitution was snowed over during the reign of Nicholas, but there was a glorious spring under his son and successor, Alexander II.

Even when Nicholas somewhat touched on the rights of the Estates, as in the edict of 1827, granting toleration to 'orthodox' office-holders in Finland, he did so with a special reservation of those rights, and with an explanation that he only acted because it was inconvenient at that moment to summon a Diet. The very abolition of the Finnish Committee was accompanied by a reiteration of the confirmation of the 'Fundamental Laws and organic constitutions' of the country. Later on, in 1835, when the work of codification and amendment of Russian law was completed, Nicholas appointed a Finnish Committee to regulate the law and the procedure of the Courts in the Grand Duchy. One of the laws that required some modification was the Civil Law of 1734, and it became the duty of the Committee, when they had completed their report, to point out to the Tsar that that law had been passed by Estates assembled in a general Diet, and so, according to the constitution, could only be altered in similar fashion. Nicholas accepted the point as conclusive, and directed that the law should be left unchanged,

and that only the administrative ordinances should be revised.

The most important event for Finland during the reign of Nicholas was the death of Count Reh binder, Minister-Secretary of State, which took place in 1841. To him more than to any other is due the firm establishment on a working basis of the Finnish constitution during over thirty years of constant watchfulness and labour. Nor was Finland less fortunate in his successor, Count Armfelt, who took up the work and carried it on till 1876. It is not often that a country finds two such men in its service to mould and fix its position in an unbroken series of acts through more than two generations. In Finland itself the only changes were the resignation of General Zakrevski as Governor, and the appointment of Admiral Prince Menchikoff as his successor; and the increase in the membership of the Senate from fourteen to twenty, the larger number being rendered necessary by the steady increase in the current business. As Menchikoff retained his post at the head of the Russian fleet, and had his headquarters in St. Petersburg, there was under his government little interference with the normal course of affairs in Finland.

Quieta non movere was indeed the motto of the whole administration in Finland at this time. The taxation was sufficient to meet the needs of government, and if laws could not be reformed without the calling of a Diet, then they were left unreformed, and perhaps nobody was for a time very much the worse. The function of Parliament as a national debating society had not then been thought of, and annual sittings had never been the rule. Russia under

Nicholas and Nesselrode did not care for experiments. So long as Finland was not heard of the Emperor was content. They said of George Grenville that he brought about the American War because he so far broke through official the routine as to read the Governors' despatches, and to worry himself about the Colonies, which his predecessors never did. Nesselrode did not worry or fidget. 'Finland governed itself,' that was enough for Tsar and Chancellor.

The Allies did not greatly distinguish themselves either by land or sea during the Crimean War, but the vacillation and incompetence of the French and English leaders only served to throw into greater relief the breakdown of the great military machine to the perfection of which Nicholas had devoted his life. 'Let us make peace, since we do not know how to make war,' one of the Generals is reported to have said, when Alexander II., on his accession, called a Council to discuss the situation in the Crimea, and the epigram was hardly an exaggeration. The whole system on which the Tsar had prided himself was found to be rotten, and Nicholas did not survive the discovery. After his death the war dragged on for some months, but after the fall of Sebastopol it had no longer any object, and his successor, Alexander II., hastened to make peace. The Tsaesarevitch had long been totally out of sympathy with his father's reactionary and despotic policy, and was full of plans for the regeneration of Russia, and the first condition of all was the restoration of peace and a financial equilibrium.

CHAPTER VIII.

ALEXANDER II.—THE DIET REVIVED.

ALEXANDER II., on his accession, signed the usual Assurance of the liberties of Finland, a country with which he had already displayed considerable sympathy in his position as Chancellor of Helsingfors University. Prince Menchikoff, who, like Nesselrode, went into retirement on the abandonment of the system with which he had been identified, ceased to be nominal Governor of Finland, and was replaced by Count Berg, a vigorous and capable administrator. At the same time, Count Armfelt, Minister-Secretary of State in St. Petersburg, secured the reappointment of the Committee for Finland that had been dissolved by Nicholas. Alexander himself visited Finland in the spring of 1856, and took occasion to preside at a sitting of the Senate in Helsingfors, on which occasion he thanked the Senate and the people for their assistance during the war, expressed his sympathy with them in the severe losses inflicted on the coast towns by the hostile fleets, and commissioned the Senate to prepare schemes for the development of industries and agriculture, for promoting education, and for the making of canals and railways.

So far all this was satisfactory ; but the question that still troubled Finland was whether Alexander intended to play the part of benevolent despot or of constitutional monarch, acting through the representatives of the nation assembled in general Diet. For Finland had not remained unaffected by the new spirit that passed over Europe in the forties, and the word 'nation' began to be heard even under Nicholas. It was no longer the interests and privileges of the Estates, so much as the rights of the people, that were spoken of, and it was felt that real intellectual or material development could only come through a development of national ideals. Professor Schauman, afterwards Bishop of Borgå, took advantage of the coronation festivities in 1856 to deliver a speech that gave a voice to this new emotion : 'The first wish that stirs in the breasts of the Finnish people at such a moment is that it may be able to extend and develop as a people ; that we Finns, although united under the same ruler as the great Russian Empire, are, and will remain, Finns, free to develop our nationality.' The country should advance, he went on to say, by the united labours of the Government and the representatives of the nation ; the Diet should be assembled soon and often, and freedom should be given both to the Estates and to the press.

Perhaps this bold utterance, in a fashion unknown in Russia, and little known at that time in Finland, rather delayed than hastened the summoning of a Diet, for it was not calculated to reassure timid officials, who already saw the country going ahead too fast. Alexander himself was so busy with reforms and changes of all sorts in Russia and in Poland that he

had little time to devote to Finland, and as the years passed and no Diet was summoned, people began to murmur. In 1859 the Senate, at the request of Count Berg, drew up a list of subjects requiring attention, with which it was impossible to deal without the co-operation of the Diet. It was not, however, till 1861 that any sign of action came from St. Petersburg, and then the Tsar adopted a course which gave rise to lively dissatisfaction. He summoned, not the Estates to a Diet, but simply a meeting of 'a Committee of representatives of the four Orders of Finland.' It is true that in a further paragraph of the manifesto it was explained that after the representations of the Committee had been considered, the decisions to be arrived at by the Emperor, in view of the desires and necessities of the country, would hold good only until the meeting of the next Diet; but as under Alexander and Nicholas the 'next Diet' had been talked of for fifty years and had never been held, the Finnish people were justly alarmed. Urgent remonstrances were made, and on April 24, a fortnight after the original manifesto was issued, an explanatory message arrived, to the effect that the work of the Committee would be of a twofold nature, first to prepare propositions to be submitted to the Diet in such matters as required the co-operation of the Estates, and, second, to make proposals for administrative regulations in matters not falling within the scope of the Diet. The Committee was ultimately formed on this understanding, a series of fifty-two questions being submitted to it for discussion.

Two years had still to pass before the Diet met. With a sovereign less firm of purpose than Alexander II.

the interval might have been disastrous ; for his well-meant efforts to conciliate and pacify Poland by the grant of representative institutions had ended in failure, civil war, and insurrection, and had afforded another argument to the fanatical Moscow party, with its policy of compulsory Russification. But the Tsar at last made up his mind to trust the Finns, and on September 6/18, 1863, Finland's legally-elected Diet met for the first time since 1809. Alexander had been spending part of the summer in Finland, and when he reached Helsingfors for the opening of the Diet, he was met by his sons Alexander, Vladimir, and Alexis, and by Prince Gortchakoff and General Miliutin, the Ministers for Foreign Affairs and for War. The new Governor, Baron Rokasovski, and Count Armfelt, Finnish Secretary of State, were also, of course, present, and all the leading officials, so that nothing was wanting to lend importance to the occasion, or to give full effect to the Emperor's carefully-prepared speech, which was, in fact, like those of his uncle, a manifesto to the Finnish people, a document in which he not only accepted and amplified all that Alexander I. had said, but threw out a hint that, so far from Finnish representative institutions being crushed out by Russia, the Diet of Finland might, by its moderation and practical good-sense, serve as an example to be imitated on a larger scale in Russia itself.

The deputies were received by the Emperor in the throne-room of the palace at Helsingfors, and welcomed in the following words :

‘ Representatives of the Grand Duchy of Finland—
In seeing you assembled around me, I am glad to have been able to fulfil my desire and your hopes.

‘My attention has long been directed to a certain number of questions successively raised which concern the most serious interests of your country. These questions have remained in suspense because their solution required the co-operation of the Estates. Certain important considerations, the appreciation of which is reserved for me, prevented me from convening the representatives of the four Orders of the Grand Duchy during the first years of my reign. Nevertheless, I took in good time preparatory steps to attain this object, and now that circumstances are no longer of a nature to cause a further postponement, I have convoked you in order to lay before you, after having previously heard the report of my Senate of Finland, the proposed laws and the administrative business which will require your attention in the course of the present session.

‘Considering their importance, I have had them examined first by a Committee composed of men enjoying the confidence of the nation. The publicity given to the debates of this Committee has acquainted you beforehand with the object of your deliberations, and you have been enabled to thoroughly examine these projected measures by consulting the opinions and the wants of the country. Consequently, in spite of their number and importance, it will be possible for you to dispose of them finally within the period fixed by law.

‘The financial statement which will be communicated to you will show that the revenues of the State have always sufficed to cover the current expenditure, and that the substantial increase of the indirect taxes—a proof of the national prosperity—has made it possible

to apply these additional resources to the material and intellectual development of the country.

‘I have authorized the Government of the Grand Duchy to contract loans solely in order to meet the requirements of the last war, and to cover the expense of constructing the railway between Helsingfors and Tavastehus.

‘An account of the use made of these loans will likewise be communicated to you, and will show that the present revenue of the State is sufficient to gradually pay off this debt with its interest. It is my wish, however, that for the future no new loan be raised without the concurrence of the Estates of the Grand Duchy, unless an unexpected invasion by the enemy, or some other unforeseen national calamity, should make it a necessity for us.

‘The new taxes that I propose to the Diet are designed to carry out different measures destined to augment the welfare of the country, and to advance the cause of popular education. You have to decide as to the urgency and extent of these measures.

‘Many provisions of the Fundamental Laws of the Grand Duchy are no longer applicable to the state of affairs existing since its union with the empire ; others lack clearness and precision. Desirous of remedying these imperfections, it is my intention to have a measure carefully prepared which shall contain explanatory and supplemental provisions. These will be submitted to the consideration of the Estates at the next Diet, which I purpose convoking three years hence.

‘Whilst maintaining the principle of constitutional monarchy essentially involved in the character of the Finnish people, and of which all their laws and institu-

tions bear the impress, I wish to include in this projected measure a more extended right than that which the Estates now possess as to the adjustment of taxation, as also the right of motion which they formerly possessed, reserving to myself, however, the initiative in all questions which affect the alteration of the Fundamental Laws.

‘You know my sentiments and my wishes for the happiness and prosperity of the peoples entrusted to my charge. None of my acts have been such as to disturb the good understanding that ought to exist between the Sovereign and the nation. I desire that this understanding may continue, as in the past, to be a guarantee of the good relations which unite me to the brave and loyal Finnish people. It will contribute powerfully to the prosperity of a country very dear to my heart, and will supply me with a new motive for assembling you periodically.

‘It is for you, the representatives of the Grand Duchy, to prove, by the dignity, the moderation, and the calmness of your discussions, that in the hands of a wise and well-conducted people, determined to work hand in hand with the Sovereign in a practical manner for the development of its well-being, liberal institutions, far from being a danger, become a guarantee of order and prosperity.

‘I declare the present Diet open.’

This speech, which was delivered in French, and of which copies in Swedish and Finnish were distributed all over the country, is judiciously left uncriticized, in public at least, by the Russian Nationalists; and yet it is difficult to take them seriously as public men with a programme if they ignore assurances so clear and so

recent, and cry out for the use of force to destroy what was so emphatically and so cordially guaranteed by their present Emperor's grandfather. Even if all that had passed before, under the reign of Alexander I., were blotted out, these utterances would be sufficient to place the constitutional rights of Finland above question. The sentences in which the principle of constitutional monarchy is admitted and placed on a historic basis are an answer by anticipation to the argument that the autocracy cannot limit itself. In the case of Finland, as Alexander points out, the question of limitation does not arise, for in that country constitutional monarchy is not a thing conferred by Russia, nor a limitation of the power of Russia's rulers, but a thing inherent in the institutions of the people, and taken over, with all its limitations, by Alexander I. when he undertook the sovereignty.

There are certain other points in the speech that must be noted before we leave it. In the first place, the separate existence of the Grand Duchy is recognised. It is never referred to as a 'province,' or as subject to the laws of the empire; it is a 'nation,' 'State,' 'country,' subject to its own laws. Next, the absolute and exclusive right of the Diet to deal with certain classes of questions is recognised. The very fact that under stress of war and rebellion their legal consideration has been delayed serves to bring the principle into greater prominence. As even the absolute Nicholas had recognised, such questions had to remain in suspense so long as there was no Diet to consider and decide them.

Nor are the questions remitted to this Diet (there were some forty-eight of them) simply submitted for

discussion as to their wording or their form. They were submitted for *examen définitif*. The suggestion that the constitution of 1809 had come to an end because for half a century no Diet had met to vote revenue is disposed of in the next paragraph. The revenue already voted (which by Swedish constitutional law was perennial) had sufficed to cover normal peace expenditure, its constant increase—a testimony to the growth of Finnish prosperity—sufficing to meet the various demands for the moral and material development of the country. The Tsar appealed to his ‘brave and loyal Finnish people’ whether his acts had not been such as to maintain ‘the good understanding that ought to exist between the Sovereign and the nation.’

But Alexander II. did not simply submit himself to the Finnish constitution as to some abnormal growth which he had inherited. He accepted the principle as good in itself, and as suggesting a possible model for the other nations under his sceptre. When he called on his Finnish subjects to prove by their dignity and their moderation that free institutions in the hands of a prudent and responsible people, instead of being a danger to the State, might be made ‘a guarantee of order and prosperity,’ he had undoubtedly in his mind possibilities with regard to Russia at large which he never altogether relinquished, which, indeed, he almost brought to the test of experiment, and which, as we since know, were occupying his mind on the very day of his murder.

The first enthusiasm connected with the Emperor’s visit and his speech having passed away, the Diet set itself steadily to its task of clearing up half a century’s

arrears in legislation. Four months was the normal legal period assigned to a Diet, but in spite of the hope expressed that the previous discussions in Committee would have so simplified matters that everything could have received its *examen définitif* within the time fixed, the Diet was not really closed until the middle of April in the following year, after a busy session of seven months. The Members were naturally new to their business ; very few of them can have had any clear recollection of the proceedings at Borgå fifty-four years before. There were probably few survivors from among the Members of the first Diet. Everything had to be started afresh—committees formed, efficient presidents found, and a suitable subdivision of the work among the committees agreed upon. Where no less than forty-eight measures of first-rate importance, and touching on every side of the political, industrial, and social life of the nation, had to be dealt with, this was naturally no simple task.

There were, of course, advantages on the other side. Finland, having had no politics for half a century, had not yet developed parties and party leaders, so that days and weeks were not wasted in set speeches and debates. Only one of the Estates, the Nobles, possessed a meeting-place of their own, the Riddarhuset, which had been specially erected a couple of years before, and this single building had to answer the purposes of all the four bodies constituting the Diet ; but this, again, facilitated the work of the joint committees, and tended to make the different Estates work together as members of one body engaged on a common task. The language difficulty

had not yet become so urgent as in later years. In August, 1863, just before the Diet met, a decree had been issued granting equality to Finnish in law courts and Government offices, but Swedish was still the one official language. The just claims of the Finnish-speaking population were, however, rapidly coming to the front, and in the course of the Diet a petition was presented by the two 'country' Orders, the Clergy and the Peasants, praying for the use of the Finnish tongue in schools. It was, indeed, this language question more than any other that shortly led to the formation of a definite Finnish party, and to the prolonged struggle between 'Fennoman' and 'Svecoman' in the Diets and in the press.

Baron Nordenstam, the Chairman of the Economy Department of the Senate, a position that may be taken as resembling very roughly that of an English Prime Minister or a French President of the Council, was naturally the most prominent figure in the Diet. He was also Marshal of the Nobles, or Speaker of the Upper House, and was appointed chairman of the important committee charged with the preparation of a new form of Government and of a Law of the Diet. Only with the latter of these two was any progress made; the former still awaits solution. At the risk of anticipating somewhat, it may be well here to give an account of this law, which owes its main form and principles to the Diet of 1863, although, owing to the very leisurely progress of legislation under the Tsars, it was not finally passed by the Estates until the Diet of 1867, nor sanctioned and promulgated as an unchangeable Fundamental Law till 1869.

The Law of the Diet was, in fact, Finland's great

Reform Bill. The separate representation and the separate sittings of the four Estates were retained (although even in Sweden they have been abandoned), but the form of representation was considerably improved and the franchise extended. The procedure in the Diet itself was also improved by the institution of a Grand Committee representing all the orders and endowed with some of the powers of the whole Diet. A majority in three out of four of the Estates is still necessary for the passing of new laws, and a majority in all the Estates for constitutional changes, but as this might easily lead to the blocking of many urgent matters, the Grand Committee has, in a manner explained later on, power to act in such cases by a majority vote independent of the distribution of the votes among the different Orders. The old idea that the Estates represent each the interests of a legislative corporation is, in fact, done away with, and the representatives as a whole represent the interests of Finland as a whole.

The House of Nobles naturally represented the more conservative side of the Diet, but in a country where there were few large properties and no striking contrasts in wealth or position, the contests never degenerated into struggles between the 'haves' and 'have nots.' One of the most striking debates in this House was, in fact, on the proposal that the nobility as a class should surrender their separate privileges, of which there were many medieval survivals still in force, and the process of equalization then begun has since been practically completed. The government of the rural communes was placed on a popular basis, and money voted for schools and railways; banking

and finance were also taken in hand, and a press regulation voted which, if only limited and temporary in its effects, constituted a great improvement on the rigid censorship that prevailed under Nicholas, and was followed by the establishment of many new journals. Finally, the Diet was dissolved on April 15 by an Imperial message, in which the promise was renewed of summoning a fresh meeting of the Estates three years later.

The country was not slow in responding to the new spirit that prevailed in high quarters, and from this period dates the extraordinary development of Finland in every department of national progress. The rural districts had, however, a terribly severe period to pass through in consequence of a succession of bad years in the middle sixties. At that time the country was still largely dependent on local supplies for food, and as communications had not been developed, a short harvest meant absolute starvation to thousands unless assisted during the terribly long and severe Finnish winter. Relief committees did their best, but the country had a severe set back, and the census returns in 1870 showed an absolute decrease in the population since 1865. Things, however, soon took a fresh start, and progress has since been uninterrupted. The policy of railway-making was taken up in earnest by the Senate, and constituted an excellent means of providing relief for the starving peasants, providing the State at the same time with a valuable national asset, bringing in a good and constantly increasing return for the outlay. Finland is always liable, owing to climatic and other conditions, to rather more than its share of such periods of distress, but the vastly

improved condition of the people and the development of railways and roads have rendered impossible a return of the horrors of thirty years ago.

The Diet met again in 1867, and resumed the work left unfinished three years before. The Law of the Diet was completed and at the same time the organization and procedure of the House of Nobles was simplified by abolishing the old subdivision of its members into lords, knights, and squires. The Church was also placed on a self-governing basis. But the great achievement of the 1867 Diet in the field of practical legislation was the settlement of the Viborg land question. In this province, which, it will be remembered, had been for a long period under direct Russian domination before it was restored to Finland in 1811, the land tenure, based on the old Russian system, was essentially different from that prevailing in other parts of Finland, and the Diet resolved to buy out the Russian proprietors and divide the land among the peasants, the purchase-money being paid in instalments, as in Ireland under the Land Purchase Acts. Finland, however, has the credit of inaugurating this system just a year before it was introduced into English legislation by the Bright clauses of the Irish Church Act. The process was begun with a loan of 4,000,000 marks, but before it was completed the Senate had voted 17,000,000 marks in the settlement of some 80,000 persons. The money has been well repaid, and the condition of the districts in question has undergone a marked improvement.

The question of the press again came up for discussion in the 1867 Diet, and here, unfortunately, a step backward was taken that has had deplorable results,

lasting till the present time. Finland had a new Governor, Count Adlerberg, who appears to have been abnormally sensitive to press criticism. Possibly enough some of the newspapers made too free a use of their new-born freedom ; whoever was to blame, the liberty of the press received a severe blow. The Government brought in a measure containing provisions that were not regarded as satisfactory by any section of the Diet, and it was rejected by a majority of each of the four Orders. The result was that, no provision being made for regulating the press, it fell back into the category of matters which, in the absence of positive law, the Emperor-Grand Duke has power to regulate through his representative, the Governor-General. Since that time the press has been entirely at the mercy of the Governor of the day, and occupies, as will be seen later, a position rather worse than that of the press in Russia. The rejection of this Bill led to some tension in the relations between Alexander II. and the Finnish people, and in his message closing the Diet he complained that his actions and intentions had been misrepresented.

A five years' period had been fixed upon in the Law of the Diet as the maximum interval that should elapse in future between successive meetings of the Estates ; and, as a matter of fact, the next meeting did not take place until 1872, and the full five years' interval was allowed to elapse before the two following Diets also, those of 1877 and 1882. The Diet of 1872 was unimportant from the constitutional point of view, being chiefly occupied with matters of internal law and organization. An attempt was made to induce the Tsar to submit a new press law, but he refused, although there was for

a time a marked relaxation in the stringency of the censorship. Before the next Diet met, Count Armfelt, who had for so many years guarded the interests of Finland in St. Petersburg, died, an almost irreparable loss for Finland, especially in view of the troubled times that were coming. There had been only two Finnish Secretaries of State during the reign of three Tsars, and as they were both men of exceptional capacity their influence was great. Since then there have been constant changes in the office, and the Finnish Minister-Secretary has steadily lost influence until, with this year's appointment of a Russian official, the post may be regarded as having lost all its meaning.

The Diet of 1877 was in some respects the most important since 1863, for then the first trial of strength took place between the Russian Minister of War and the Finnish constitution, a conflict that has now culminated, twenty years later, and has developed into a struggle for the very existence of the constitution itself. The points at issue will be gone into at length when the 'humble reply' of the Extraordinary Diet of 1899 comes up for discussion. It will be sufficient here to indicate the circumstances connected with the proposals of 1877. The results of the war of 1870-71 led to the adoption in 1873 of a new army scheme in Russia, and General Miliutin, not understanding or troubling about Imperial pledges or existing laws, simply proposed that the scheme should be extended to Finland by decree. It was not difficult to show that this was altogether illegal, and Alexander consented to its being put in the form of a proposition for a new law, and submitted to the Diet in the ordinary

way at its next meeting. The military arrangements of the Grand Duchy undoubtedly required overhauling. Certain militia battalions that had been formed during the Crimean War had long since been dissolved, and Finland's whole military forces were represented by a battalion of Guards in Helsingfors. All the European armies had been recast on the German model, and the majority of public men in Finland frankly acknowledged that their country could not lag behind. But between that and the making of the Finnish army a mere Russian Army Corps is a long step.

The points in dispute between the War Office and the Diet were many, but eventually the new scheme was agreed to, and the Finnish army established on its present footing. The principle of universal liability to serve was recognised by the Estates by substantial majorities; but, on the other hand, provisos were inserted maintaining the right of Finlanders to serve in Finnish regiments only, and under Finnish officers, thus safeguarding the position guaranteed by Alexander I. at Borgå; and in order still further to insure Finland's rights from attack, when the scheme thus amended was promulgated by the Tsar, certain sections of the law were expressly declared to be included among the Fundamental Laws of the Grand Duchy. The whole question of military organization was thus recognised as a matter whose alteration required the assent of three Estates of the Diet, whilst the particular clauses declared fundamental can only be altered with the assent of all four Estates.

The military party in St. Petersburg were naturally very angry at the alterations made, and, worst of all, accepted by the Tsar in the army scheme, especially as

in the interval the Russo-Turkish War of 1877-78 had begun to show that Count Miliutin's scheme, when put to the test across the Danube, broke down almost as badly as did that of Nicholas in the Crimea. The diplomatic defeat suffered by Russia at the Congress of Berlin embittered them still further, and the Nationalists began to put themselves into almost open opposition to the Emperor and his measures. Ingratitude and conspiracy at home and increasing difficulties abroad embittered the last days of Alexander II., and his assassination on March 13, 1881, was only the climax of a tragedy. In Finland he was loved as few Sovereigns have ever been, and the monument that has been erected to his memory in front of the Senate House in Helsingfors is a worthy tribute of a nation's mourning for the Tsar who restored and extended its constitutional liberties.

CHAPTER IX.

ALEXANDER III. AND THE REACTION.

THE Accession of Alexander III. was the signal for reaction in Russia, and fears were entertained in Finland that the new order of things that had happily prevailed under Alexander II. would not continue. Voices in the Russian press suggesting a return to the blind absolutism of a past generation were not lacking, but in Finland at least Alexander remained true to the principles of his father. He not merely signed the constitutional Assurance in the usual form, confirming the religion and the Fundamental Laws of the country, but he added to it a special rescript directed to the Governor-General, in which he accepted and approved both the original granting of the constitution by Alexander I., and also its development by Alexander II. and the Diet :

‘ In confirming by a Gracious Manifesto of this day the constitution that was granted to the Grand Duchy of Finland by His Majesty the Emperor Alexander Paulovitch of most glorious memory, and developed with the consent of the Estates of Finland by Our dearly beloved father of blessed memory, the Emperor

Alexander Nicholaievitch, 'We do so with great satisfaction, keeping in gracious remembrance the many proofs of unfailing affection and gratitude to their Sovereign and benefactor given by the inhabitants of that country, by which they brightened the reign of Our never-to-be-forgotten father, who always kept their welfare in mind.'

Two personal changes of importance took place in the first year of Alexander's reign. Baron Stjernvall-Walleen, who was already an old man when he succeeded to the post of Secretary of State for Finland, on the death of Count Armsfelt in 1876, was permitted to retire, and was succeeded by Baron Bruun. The Governor-General, Count Adlerberg, also resigned, and his successor, Count Heiden, was understood to be an advanced supporter of the Nationalist party. No immediate change, however, was made in the system of government, and in May, 1881, the usual proclamation was issued summoning the Estates to meet in the following January. The new Tsar was not able himself to attend the opening of the Diet, but again he sent a special message explaining his desire to carry on his father's work :

'In convoking you in virtue of the Law of the Diet to deliberate on many questions important to the country, I am guided by the firm principle inflexibly to follow the example of my blessed, dearly-beloved, and never-to-be-forgotten father, who never failed in his care for the welfare of Finland, thus gaining the sincere affection and gratitude of the country. I pray to the Almighty for help in my endeavours to ensure the happiness of my faithful Finnish people, of whose honest character I have particularly convinced myself

in my visits to the country with my family, retaining at the same time in the most pleasant memory the feelings thus expressed to Us.'

The new Emperor's reference in this message to his personal knowledge of Finland and liking for the country was not a mere phrase ; for since the day when as a boy he had stood by his father's side at the opening of the Diet of 1863, he had more than once visited the Grand Duchy, and in later years he was fond of calling at various points on the coast in his yacht, and mixing very freely with the people. Nor was this practice given up after his accession to the throne, for during the Nihilist terror that then prevailed the Tsar found that he could secure both safety and freedom from restraint while yachting among the islands, and here, accompanied by his whole family, he would spend many happy weeks away from the gloomy surroundings of Gatchina.

In these later Diets the members displayed a tendency to group themselves more and more into parties, the original cause of dispute being the vexed question of language. Ever since the union with Russia there had been individuals or groups here and there who worked for the cultivation and extension of Finnish as a written language. At first this movement was purely literary and philological ; but, as in every European country, the cry for political recognition was not long in making itself heard. The Swedish party naturally organized for the defence of their privileges, and the strife between ' Fennomans ' and ' Svecomans,' as the two parties were called, soon grew hot. The best account I have seen of the original significance of the movement is from the pen of Senator Mechelin,

who, although himself a Svecoman leader, is by no means prejudiced on this subject. He writes :

‘Of the two national languages, the Swedish had, after 1809, continued to be the official language of the country, and of the higher organs of culture, and in the beginning this did not cause any discontent among the lower classes of society. The knowledge of writing was at that time very little spread among the people, who, therefore, were accustomed to rely upon clerks for the drawing up of legal statements and for the interpretation of documents received. In the proceedings of the law courts the parties were never forbidden to express themselves in Finnish, and those judges who were not able to communicate with litigants except by means of an interpreter were exceptions. In fact, the Order of Peasants at the Diet of 1809 presented, amongst their petitions, one in favour of “the right to use the Swedish language in the future as heretofore in all public documents, petitions, and lawsuits, even those to be submitted to the supreme authority in the last instance.” Even if this petition was dictated, not by indifference to the Finnish language, but by apprehensions as to a change in another direction, it will help to explain why the language question was not taken up earlier in the day. And it certainly was a great advantage, not only with respect to form, that at the early stages of Finnish public life, people were allowed to employ at first a fully-developed legal language, and were not obliged to begin too early the difficult task of moulding and using another legal language.

‘But according as the Finnish literature and popular education were developed, and national consciousness

was raised, the exclusion of the Finnish language from official use seemed a mistake which ought, as soon as possible, to be corrected. In the reign of the Emperor Nicholas, at the instigation of a minority of particularly cautious and short-sighted members of Government, an effort had been made to interrupt the development of Finnish literature by an instruction issued to the censorship of the press on April 8, 1850, not to allow any other Finnish books to be printed than such as were intended for religious edification or practical use. This inconsistent instruction could not, of course, be maintained, and the reawakening of political life afterwards gave such an impetus to Finnish literature that the question about the position of the two languages in political life attracted more serious attention than had formerly been given to it.'

We have seen that in 1863, just before the opening of the Diet, Alexander II., who was much impressed by the insistence of J. W. Snellman in that and in other matters, issued a decree granting equality in certain cases between Finnish and Swedish, and this, as might be expected, was only a beginning. Snellman, who, although himself born in Sweden, had for years been the life and soul of the Finnish movement, was less of a politician than was Georg Forsman (later known by his Finnicised name of Yrjö-Koskinen), who came to the front as a fighter for the cause of Finnish equality, and the debates in the Diet were often stormy. From the first Finnish had been permitted equally with Swedish in the debates, but the Fennomans demanded not toleration but complete equality in all respects, and the battle raged till 1883, when an Imperial decree was issued, ordering that all

official notices, administrative or judicial, should be issued in the prevailing language of the commune in which the proceedings originated, and this was followed by another decree in 1887 ordering that the official correspondence should be carried on in the language of the commune. As in the meantime the use of Russian was being more and more forced to the front by the Imperial authorities, it followed that many unhappy officials were compelled to know all three languages.

The fact that these changes were introduced by decree, and not by the action of the Diet, was in itself an additional embitterment of the dispute. The Swedish party charged their opponents with bringing in the Russians to help in a domestic quarrel that ought to have been fought out and settled by the representatives of the people in their Diet. The Finns could easily retort that, owing to restricted franchise and other causes, the majority in the country was not represented by a majority in the Diet. The fact remained that the Fennomans for a time rested under the reproach of being the 'Russian' party, and it was not until the very foundations of the constitution were assailed from St. Petersburg that the two factions dropped their recriminations and united in face of a common peril. In 1882 the Tsar, Alexander III., had shown his desire to act impartially in the dispute by promoting Professor Koskinen and Professor Mechelin, the leaders of the two parties, to the Senate, but the course of events has since caused both the new senators to resign.

Since 1882 the Diets have been summoned to meet triennially instead of quinquennially, as in

Alexander II.'s time, a change rendered necessary by the developments of financial and other business. The Diet of 1885 was chiefly engaged in the elaboration of a new and modernized Penal Code, a measure which was urgently required by the country, but which did not emerge from the many obstacles in its way till nine years later. After the Diets of 1885 and 1888 had completed their work on this Code, and the Imperial sanction had been given, objections were raised in Russia, although this was obviously an internal matter, that should be settled by the Diet. The application of the new law was suspended, and the whole measure reopened for fresh examination by a Commission, sitting under the presidency of the Russian Minister of Justice. Many changes were proposed, and these in turn were considered by the Diets of 1891 and 1894, after which the measure was at last formally promulgated on April 14, 1894.

This incident is an example of the way in which, with the growing influence of the Russian reactionary party, obstacles began to be thrown in the way of all progress in Finland. In the earlier years of his reign Alexander III. had, as we have seen, shown himself most friendly and sympathetic towards Finland ; but it is hardly a matter for surprise that the state of constant terrorism in which he lived began ultimately to tell on his political views, as well as on his physical health, and to throw him into the hands of the officials, who insisted on absolutism as the only cure for the evils that absolutism had caused. After the Borki outrage (October, 1888) he may be said to have fallen entirely under the influence of the extreme reactionary party. His fate was scarcely less sad than that of his father,

for by common consent Alexander III. was naturally one of the simplest, honestest, and most kindly of men; and his death, in 1894, at the age of forty-nine, was as much a result of his terrible experiences as if he had fallen by the hand of one of the assassins who dogged his steps. Like so many of his predecessors, he fell a victim to a system which he inherited, and which he was powerless to break down or to alter. Another Peter or a revolution will be required for that task.

CHAPTER X.

THE ATTACK ON THE CONSTITUTION.

THE St. Petersburg officials were not, however, going to content themselves with merely obstructing the working of the Finnish constitution. Towards the end of the eighties it became clear that they aimed at its complete destruction. Finland's unification with Russia was to be taken in hand in earnest. It was at this period that the campaign was opened against the Grand Duchy in the Panslavist press, and it was openly asserted in newspapers, pamphlets, and books, whose official origin was obvious, that the pledges of Alexander I. and the constitutionalism of Alexander II. were alike out of date. Finland was to have such rights and privileges as were permitted in St. Petersburg, and no more. It will be recollected that when in 1863 the work of drafting a Law of the Diet was taken in hand, the Committee was also charged with the preparation of a new Form of Government, to take the place of the two Swedish Acts—the Regerings Formen of 1772, and the Förenings och Säkerhets Akten of 1789. This, with the Law of the Diet sanctioned in 1869, would have given Finland a complete written constitution. But the task was a

difficult one ; the delays were many, and the opportunity was lost. In 1885 the Committee engaged on the task issued its report with a draft Law, but the Russian officials—men of a different stamp from those of 1863—were clamorous, and the scheme was vetoed. This was followed up by the adoption of a course of action which conveyed a direct menace to Finland's rights of self-government. In 1890 three Commissions were appointed to study and prepare plans for bringing Finland into line with the empire in matters relating to postage, coinage, and Customs duties. These were obviously matters to be considered by the Finnish Senate, or by the Secretary of State for Finland and his Committee, and the handing of them over to Commissions preponderantly Russian was a direct violation of constitutional practice. A deputation, consisting of the Speakers of the four Estates of the Diet, which proceeded to St. Petersburg to remonstrate was, however, not received.

In 1891 a similar Commission, under the presidency of M. Bunge, a Russian ex-Minister of Finance, was appointed to draw up 'Regulations for the Provinces of the Grand Duchy of Finland,' the introduction of the word 'provinces' showing the intention to ignore so far as possible the political unity of the country ; and this Commission set to work in total disregard of guaranteed rights. The Postal Commission recommended a 'concentration' of the services ; and the process of Russification in this respect has now been completed, a decree of August, 1899, prohibiting the use of Finnish postage-stamps after the current year. These acts of aggression convinced some of the newly-appointed Senators that the position of the

Finnish Senate was being rendered farcical, and Senators Mechelin and Weissenberg resigned their seats on that body. When the Diet met in 1891, the Marshal of the Nobles and the *Talman*, or Speaker, of each of the other three Estates responded to the opening Message by a vigorous protest and reiteration of their constitutional rights. The Tsar issued a conciliatory reply, but the 'unification' tendencies of the officials were not checked; and in May of the same year the Finnish Committee in St. Petersburg was dissolved, and the Finnish Secretary of State, General Ehrnrooth, resigned.

The Diet of 1894 drew up a petition to the Tsar, pointing out the unconstitutional nature of recent actions, but it led to no result. In this year, indeed, a new line of aggression was opened up in the shape of attempts to force the Russian language on Finnish officials, whilst the press censorship began to be applied more severely than ever, the suppression of articles being a matter of almost daily occurrence. The death of Alexander III. made no change, for Russia's Finnish policy was now so entirely in the hands of the reactionary officials, that the signing by the new Tsar of the pledge to confirm and ratify the Fundamental Laws, and 'to maintain them steadfastly and in full force,' at the moment when these laws were being encroached upon in every direction in the name of the Tsar, could only be regarded in Finland as a solemn mockery. The Diet of 1897, the last regular Diet that has been held, was remarkable chiefly for a revival of the party struggles between Fennomans and Svecomans on the language question; but a settlement, arrived at through the action of the Senate, put an end

to what could only be regarded as a deplorable exhibition of discord at such a national crisis. Governor von Heiden resigned in the same year, and for a time no successor was appointed. Just at this moment there was, in fact, for a little while a slight relaxation in the pressure from Russia—the calm before the storm.

The sudden resignation (June 11, 1898) of General von Dæhn, Finnish Secretary of State, was the first warning of danger, as it was shortly known that measures had been pressed upon him which his loyalty to the Finnish constitution forbade him to undertake, and in a few weeks the whole battery of the Russian attack was unmasked.

It must be admitted that General Kuropatkin, the War Minister, who had the business in hand, showed a curious disregard for the Tsar's feelings in forcing the question to the front at the very time when Nicholas II. was elaborating his Manifesto* pointing out to the world that the rapid increase of armaments 'strikes at public prosperity at its very source,' and that the present was a favourable moment for seeking 'the most effective means of insuring to all peoples the benefits of a real and durable peace, and above all of putting an end to the progressive development of the present armaments.' The attempt to enforce a quadrupling of Finnish armaments in time of profound peace was surely a cynical commentary on the

* The Peace Manifesto was issued on August 24, 1898, at Count Muravieff's Wednesday Foreign Office reception: the attack on Finland was formally opened on the following Tuesday by the appointment of General Bobrikoff as Governor. The intended increase in the army had already been notified by rescript on July 19.

doctrines of this Manifesto, and the martially-inclined Ministers and Grand Dukes must have derived much enjoyment from their practical joke at the expense of the ideologue Tsar. Not only was this unprecedented increase to be made, but it was to be made unconstitutionally, by direct edict from St. Petersburg. This last outrage, however, the acting Finnish Secretary, General Procopé, was able by direct remonstrance with the Tsar to prevent, and it was decided to call a special Diet in January, 1899, to consider the new army scheme. That 'unification' was now to have its full course was manifest not only from the military proposals, but also from the choice of General Bobrikoff, who had already had extensive Russifying experience in the Baltic Provinces, to fill the vacant Governorship of Finland. The new Governor was informed that it would be his duty to bring about 'the closest union of the country (Finland) with the common Fatherland.'

As the Military Bill ultimately laid before the Diet, and the Manifesto of February 15, 1899, which swiftly followed it, will be discussed fully in the chapters devoted to them, only the general course of events need be indicated here. General Bobrikoff opened the Diet on January 24, and in his speech openly threatened unconstitutional steps in case the War Minister's proposals were not accepted. In the Diet, where all party disputes had now been dropped, the numerous illegalities that had been committed in the preparation and presentation of the measure were pointed out, and this gave the desired pretext for the delivery of the Manifesto of February 15 and the accompanying 'statutes' which had been secretly

prepared by still another Commission sitting in St. Petersburg.

All such proclamations and statutes must pass through the Senate before being promulgated in Finland, and there was much division of opinion as to the course to be adopted at this unexampled juncture. At last the voting was found to be equal, ten Senators having had the courage to declare that the proclamation was altogether void and illegal, and therefore ought not to be issued. The others, also ten, were in favour of publishing it under protest, and by the casting vote of the Vice-President that course was adopted. The Procurator-General, in accordance with his duty as the legal adviser of the Senate, pointed out that the Manifesto was a direct violation of the constitution, and the Senate drew up a formal written protest, but when the Vice-President and the Procurator-General attempted to present it to the Tsar, as was their right, they were refused audience. The Diet also protested unanimously, and in the name of all the Estates, but when the Marshal of the Nobles and the three Speakers endeavoured to reach the Emperor they also were turned away. The same fate awaited the great petition signed by practically the whole adult population of Finland. Reactionary officialdom has succeeded in raising between Nicholas II. and his Finnish subjects a high wall across which no truth-speaking voice is to be allowed to reach the Tsar.

CHAPTER XI.

CONSTITUTIONAL MACHINERY.

THE story of Finland's connection with Russia under five Tsars will already have conveyed some idea of the nature and the working of the Finnish constitution. It becomes necessary, however, at this stage to give something like a complete sketch of the institutions guaranteed to Finland ninety years ago, and confirmed and extended by successive rulers. The greater part of this constitutional machinery is not, properly speaking, matter of controversy at all, the facts being indisputable ; for although Russian writers, acting under official inspiration, and even very highly placed personages, have not hesitated to assert that Finland possesses no rights that cannot be taken away by a stroke of the pen, the openly official attack does not yet go so far. Exception is of course taken in Finland to the wording of the manifesto of February 15, 1899, but for present purposes the first paragraph of that document may be taken as embodying the official Russian version of the relations between the two countries, and there it is stated that Finland 'possesses, by the gracious consent of the Tsar Alexander I. of blessed memory, and of his august Heirs,

special institutions with respect to interior administration and legislation.' Before examining the Manifesto further, and seeing whether and how far it violates the Finnish constitution, we must make clear what those 'special institutions' are.

The objection that the special institutions of Finland were not at the time expressly stated to include the Swedish Fundamental Laws of 1772 and 1789 has been already dealt with. There is ample documentary evidence that Alexander I. was made aware of the importance of those Acts as virtually embodying the constitution which he accepted at Borgå, and in the second place, as none of the Russian critics has been able to suggest any other Fundamental Acts to which the Tsar could possibly have intended to refer, the objection is not worth further notice.

The Form of Government enacted by the Swedish Diet in 1772 superseded all previous constitutional laws since 1680, and the later Acts of 1789 are in the nature of a modification and amendment of the original Act. The essential principle of a law-governed State can be traced far back in Scandinavian law; indeed, the provisions of the second paragraph of the Act of 1772 are in effect a repetition of the wording of a fifteenth century statute—the 'King's Chapter' of the Law of the Land of 1442. There it is laid down that 'To the King it belongs to rule His Kingdom as the law directs, He and no other: He shall maintain, love, and guard, Right and Truth; Evil and Injustice shall he forbid, avert and suppress. He shall do injury to no man in Life or Honour, Body or Goods, who has not been legally presented or condemned: He shall deprive no man nor permit any man to be deprived

of his movable or immovable property without legal examination and judgment: He shall rule the land according to the King's Chapter (*Konungabalken*) of the Law of the Land.' These were the ideas ingrained in the very nature of the Scandinavian race from time immemorial, and the mingled Swedish and Finnish people grew up under them. These two Fundamental Laws—the Regerings Formen and the Förenings och Säkerhets Akten—constitute, as has already been explained, no novel or revolutionary code. They really tend to strengthen the royal prerogative, which had suffered under the oligarchic usurpations of the nobles. Alexander II. therefore quite correctly appealed to these statutes when, in sanctioning the Law of the Diet of 1869, he wished to guard intact his royal prerogatives as Grand Duke of Finland.

The provisions of the law of 1772 with regard to legislation are clear and precise. Sections 40 and 41 of the 'Form of Government' are as follows:

'The King shall make no new law nor abolish an old one without the knowledge and consent of the Estates.

'The Estates of the Realm (*Riksens Ständer*) shall abolish no old law nor make a new law without the King's yea and consent.'

And section 45 has a special bearing on the present aggression:

'The King's Majesty shall defend and protect the Realm, especially against foreign and hostile powers; but he shall not against Law, Royal Oath and Assurance, impose upon his subjects war levies, new tributes, taxes, or other charges without the knowledge, free will, and assent of the Estates of the Realm,

with the exception only in case of disaster ; if the Realm were to be attacked by a military force, then the King's Majesty has the right to take such steps as are in accord with the security of the Realm and the welfare of his subjects ; but as soon as the war ceases the Estates must meet, and the new taxes imposed on account of the war shall cease immediately.'

With regard to laws which are classed as constitutional or fundamental, there is a special provision (section 71) in the Law of the Diet of 1869 which must be cited here :

'A Fundamental Law can be made, altered, interpreted, or repealed only on the representation of the Emperor and Grand Duke, and with the consent of the Estates.'

The chief Fundamental Laws which, since the Union, have been passed in Finland and for Finland are the Law of the Diet of 1869, of which a clause has just been cited, and which fixes legislative procedure ; fourteen paragraphs of the Military Service Law of 1878, which are specially declared therein to be fundamental, certain franchise laws of 1879, and the law of 1886 granting to the Diet the right to initiate legislation. In ordinary matters of civil law Finland is subject to the common law of Sweden, which may be cited much as the English common law is cited in American States, and, above all, to the general law of 1734 so far as the civil side of that code is concerned. In criminal matters the Finnish penal code of 1894 is of course decisive. There are also a considerable number of Royal and Imperial, or rather, Grand Ducal 'ordinances' which have the force of law, since by the ancient Swedish constitution the

King had in certain not very clearly defined cases, where no properly enacted law was applicable, the right to issue decrees that had the effect of law. Originally there was no very strict distinction in the way of classification made between the laws passed by the Diet and by the Executive Government, but it is customary now to use the word 'law' (*lag*) exclusively in the former case and 'ordinance' (*förordning*) in the latter.

The people on their part are required to yield to the Sovereign obedience within the law 'like true men and subjects,' as the old fifteenth century formula has it, and by the new penal code it is made clear that fealty is due to the Tsar, not only as regards the Grand Duchy of Finland, but also as regards the Empire, and crimes against the safety of Finland or of Russia are declared to be treason. Freedom and citizenship are the right of all not subject to legal condemnation. Villenage was abolished in Sweden, including Finland, in 1335, and, as we have already seen, the effect of the reunion of Viborg with Finland in 1811 was that those who in that province had been serfs under Russian law at once became free citizens in Finland. Formerly the Estates or Orders of the population were the possessors of various privileges which have only slowly died out, such as freedom from taxation, and the right on the part of the nobles to be tried only by their own Order.

The throne of Finland is, as expressed in Article IV. of the Russian Fundamental Law, inseparably united to that of Russia. There is naturally no Finnish Act of Succession, the succession being governed by the Family Law of the Russian Imperial House. The

Emperor of Russia becomes, *ipso facto*, Grand Duke of Finland, but all Grand Dukes on their accession sign the Act of Assurance, guaranteeing the Finnish constitution, whereupon the Finnish officials take the oath of allegiance. This Act of Assurance, in fact, takes for Finland the place of the coronation oath. The Sovereign has the right to fix the date for the opening or the closing of a Diet, and to appoint the President of each of the four Estates. Until 1886 he alone had the right to initiate legislation. Since that date the Estates share that right in the case of ordinary laws, but the Emperor still retains the exclusive right in the case of amendments to the Fundamental Laws. Laws passed by the Diet are of no effect unless sanctioned by him.

Financially it is obvious that with a Diet meeting only once every three, four, or five years, no continuous control in details can be possible. The Sovereign, therefore, has the right to fix the annual Budget, subject to such financial regulations as are drawn up by the Diet. To the Sovereign belongs the right of conferring honours, of granting pardons, or of reducing sentences. He represents the interests of Finland in respect to foreign States, and possesses the right of making treaties so far as their provisions do not conflict with the law. It is his right and his duty to provide for the country, and for the organization and arming of the troops for that purpose. This important prerogative is of special importance at a moment when the question of its extent and its limitations is so prominently before the country.

The Emperor is directly represented in Finland by the Governor-General, and the government is carried

on by a Senate composed of Finnish subjects. The correspondence relating to Finland is carried on through the office of the Minister-Secretary of State for Finland in St. Petersburg. Formerly there was attached to the Secretariat a Committee for Finland, but that body was dissolved early in the present decade. The Senate is a peculiar body, without a precise parallel in any other country ; least of all does it resemble the Senate or Upper Legislative Chamber in France or the United States of America, except in so far as those bodies may, quite exceptionally, be called upon to act in a judicial capacity. The Finnish Senate is composed of the heads of the public offices, and in that respect it corresponds to an English Ministry ; and it has also in its collective capacity certain advisory and executive functions that are difficult to define. Finally, in one of its sections it acts as the Supreme Court of Appeal. The separation of the Judiciary and the Executive is supposed to be a fundamental principle of constitutional Government in Western lands ; all that can be said for the Finnish system is that it has worked efficiently for the best part of a century, and seems to have given complete satisfaction to the country.

The Senate differs essentially from an English Ministry in that it is in no way responsible to the Diet. Its members are appointed directly by the Tsar from among his Finnish subjects, and their tenure of office is for three years, renewable at pleasure. The titular head of the Senate is the Governor-General, but in practice he never attends or takes part in the proceedings, his place being taken by a Vice-President. Matters which come within the scope of the direct decision of the Sovereign are, as a rule, first considered

by the Senate before being presented to him. The main division of the Senate is into two Departments: the Department of Justice, which is at once a Ministry of Justice and a Supreme Court of Appeal; and the Department of Economy, which has charge of the administrative work of the country. For certain objects the two Departments sit together and form the *Plenum*. Each Department consists of ten members, including a Vice-President. The Department of Justice, acting as a Court of Appeal, sits generally in two divisions. The Economy Department, or as it is more convenient to call it, the Administration, is divided into eight Divisions, or 'Expeditions,' each presided over by a Senator. The most important officer of the Senate is the Procurator, who is appointed by the Emperor, and attends all the sittings. He advises the Senate in legal matters, and judicially occupies a position similar to that of the French Procureur-Général.

The Administrative Department has control over practically all the business of the country that does not relate either to the Department of Justice or to the military command, which latter is exercised by the Governor-General as the direct representative of the Tsar. It guides and supervises the work of the different sections, and in some cases acts as a Court of Appeal from their decisions. The Divisions of the Administration are:

The Civil Division, which has charge of public health, Poor Laws, provincial and commercial government, communal government, police and the collection of statistics.

The Division which controls the Post-Office,

telegraphs, telephones, roads and 'posting,' public buildings, prisons, naturalization, emigration, and the preservation of the text of the laws. (But see note to Preface, p. vi.)

The Finance Division, which prepares the Budget, superintends the income and expenditure of the State, controls the State funds and grain-stores, the debt, the coinage, and the banks.

The Control Division, which attends to such matters as the land tax system, the levying of taxes, public accounts, financial control, State lands and fisheries.

The Military Division, which directs the organization and armament of the Finnish army, the military budget, cadet schools, etc.

The Public Worship and Education Division, which has charge of the affairs of the Lutheran State Church (98 per cent. of the population), as well as of those relating to the Greek Orthodox communities and the Dissenters. It also regulates the school system, the University, and matters relating to science and art.

The Agricultural Division, which is devoted to the advancement of agriculture, agricultural education, drainage, canals, and railways.

The Commerce and Industry Division, which controls the trade, navigation, pilotage and light-houses, harbours, minerals, and all trades and industries, and commercial, shipping and industrial schools.

The Divisions are charged generally with the oversight of the work of their departments, with the preparation of proposals for reform, and with the execution

of those reforms when enacted. The Senator who is at the head of the Division has complete control over it, but in the meetings of the Administration as a whole each Senator has an equal vote.

The Senate as a whole meets either in general *Plenum* of all its members, or in the lesser *Plenum* consisting of four members from each Department. The general *Plenum* considers and prepares proposals for legislation to be submitted to the Emperor for presentation to the Diet; reports to the Emperor on proposals and petitions from the Estates; and receives and promulgates laws and proclamations sanctioned by the Emperor. The lesser *Plenum* decides matters relating to the administration of justice that are not specially dealt with by the Department of Justice, and considers international questions that arise in connection with the law courts.

The Governor-General, as representing the Emperor, is chief of the executive, chief of the Finnish army, and President of the Senate. He receives the Emperor's messages and hands them on to the Senate, and in return receives the reports of the Senate and forwards them to the office of the Minister-Secretary of State for Finland. In cases where he is not in agreement with the Senate he has the right to record his dissent. He exercises general supervision over the affairs of the Grand Duchy, and reports thereon to the Emperor. He nominates for the Emperor's approval new Senators, Presidents of courts, and Governors of provinces. He has general superintendence over the police, and commands the Russian troops quartered in Finland.

The Procurator has to see that the laws are observed

by public officials, and is thus in a sense the legal coadjutor of the Governor-General. He attends all general sittings of the Senate, and advises on legal matters. Should the Governor-General or the Senate in any way transgress the law, it is the duty of the Procurator to take objection and to direct attention to the law transgressed, and if this should be unavailing to report on the matter to the Emperor. He instructs the public prosecutors throughout the country, and institutes proceedings against officials guilty of illegal acts, either on his own initiative or upon complaints made to him in virtue of his office. He controls the tribunals and the sentences and treatment of prisoners. He reports to each Diet at its meeting on the administration of justice and the application of the laws.

The Secretary of State for Finland has charge of business requiring the decision of the Emperor. He reports to the Emperor on all matters, military affairs excepted, which are submitted by the Senate. For this purpose a statement of the case is drawn up in Russian, together with the report of the Senate and the views of the Governor should he differ. The Emperor's decisions are expressed either in a manifesto or rescript signed by him and countersigned by the Secretary of State, the originals being forwarded to the Governor-General, or by annotations in the margin of the Secretary's report. In this latter case the Emperor's decision is communicated to the Governor-General in a letter from the Minister-Secretary, who is responsible for the conformity of the despatch with the expressed wish of the Sovereign. All documents exchanged are to be in both the Swedish and the Russian languages, and the First Secretaries

are responsible for the conformity of the texts. The Minister-Secretary is the intermediary for correspondence with the Imperial Ministers and other high authorities on matters which relate to the Empire as well as to the Grand Duchy. There may also be direct communication between the Governor-General and the Imperial authorities in executive cases.

All these details of administration are of importance in view of the changes that have been attempted within the last few months. The position and functions of the Minister-Secretary for Finnish Affairs constitute the keystone of the whole system of administration inaugurated by Alexander I. and sanctioned and confirmed by his successors. The Finlanders justly fear that if this office is allowed to be pushed to one side, and Finland dealt with by Russian Ministers direct, or if the post of Secretary be held by a Russian official, there will soon be an end of Finnish autonomy.

There are, however, admittedly certain cases in which the Imperial Ministers are entitled to act directly for the Grand Duchy and not through the office of the Secretary for Finland—cases arising in connection with the Departments of Foreign Affairs and of War. Finland, having no independent foreign relations, is represented in all her dealings with other countries in connection with such matters as tariffs, naturalization, passports, consulates, etc., by the Russian Minister for Foreign Affairs, and that Minister in such cases reports to the Emperor direct, and not through the Finnish Secretary. The Foreign Office, in fact, assumes for the moment the position and duties of the Finnish Secretariat, and corresponds with the Emperor on the one hand, and with the Governor-General and the

Senate on the other. Further, if a proposed treaty with a foreign power contains provisions by which a law of Finland would be altered, that portion of the treaty must be referred to Finland, and treated and decided by the competent Finnish authorities. Such treaties, when ratified, are officially communicated to the Senate by the Russian Foreign Office, and are published in the collection of the laws of Finland. Russian Consulates abroad are required to apply the laws of Finland to the cases that arise in which Finnish subjects and Finnish shipping and commercial interests are involved—a matter not without its difficulties when it is realized that such officials are usually equally ignorant of the Finnish language and of Finnish law.

The Russian Minister of War acts in certain cases prescribed by the Military Service Law of 1878 also as Minister of War for Finland, and he has for that purpose attached to his Department a Finnish officer with a staff competent to instruct and assist him, and to carry on the necessary correspondence. The Russian War Minister reports to the Emperor on matters relating to the command of the troops, or, in the words of sec. 119 of the Act of 1878, on such circumstances relating to the Finnish troops as do not come within the scope of legislation or of the 'economic' administration of the army, or as are not otherwise provided for in the Law. It will be seen that in his procedure with regard to the military service scheme of the present year the Russian War Minister has entirely disregarded these restrictions in the procedure which has been adopted.

The administration of justice is carried on throughout Finland on characteristic Scandinavian lines. In

rural districts the Court of the Hundred (*Häradsrätt*), and in towns the Town Court (*Rådhusrätt*), acts as the Court of First Instance. The country is divided into sixty judicial districts (*domsaga*), while each town of sufficient size constitutes a district by itself. Trial by jury, in our modern sense, does not exist, or, rather, the jury system has been arrested in its development, and remains at the stage in which the 'sworn men' constitute a part of the tribunal. Each judge (*härads-höfding*), who is appointed by the Emperor on the nomination of the *Hofrätt*, or High Court, has associated with him from seven to twelve assessors (*nämndemän*), who are elected by the communes. But the judge decides on his own responsibility, and the judgment is his except in cases where the assessors are unanimously opposed to him, when their decision prevails. The tribunal in the towns is composed of the burgomaster and a number of councillors (*radmän*). The burgomaster is chosen by the Emperor, who appoints one out of the three selected by the council. The *radmän* are elected by the town and appointed by the Provincial Governor. These courts have competence both in civil and in criminal cases, but in cases of grave crime the decision of the *Häradsrätt* requires confirmation by the *Hofrätt*.

There are three of these High Court districts—Åbo in the south-west, Viborg in the south-east, and Vasa in the north. Each court is composed of a president and vice-president, and from nine to eighteen other members. The president and vice-presidents are appointed by the Emperor direct, the other members on the nomination of the Department of Justice. These High Courts may be invoked in the first instance

in certain grave matters affecting Church and State, but in general their jurisdiction is purely appellate. The courts generally sit in divisions, consisting of four or five members, and their decision is by a majority of votes. The Supreme Court, as has already been seen, is the Department of Justice of the Senate. Those appointed to this Department must be 'persons of juristic knowledge and judicial experience.' These members, like the other senators, are appointed by the Emperor for a period of three years, the appointments being renewable.

The officials in all branches of the public service—the Governor-General, as representing the Emperor, excepted—must be Finnish citizens, and must possess sufficient knowledge of both Swedish and Finnish. A recent ordinance of doubtful legality requires a knowledge of Russian also in the case of Senators and Provincial Governors. In the majority of cases the officials hold office during good behaviour, and cannot be displaced except for some specified and judicially-proved offence. This, however, does not apply in the case of some of the higher confidential officials appointed directly by the Emperor, nor in the case of the ordinary lower police and administrative servants. This legal tenure of office is one of the matters in Finland which is most antipathetic to an autocratic Governor-General, who finds himself at every turn confronted by the law, administered by officials whom he cannot get rid of except for some good reasons assigned—and obedience to the law is not yet an offence justifying dismissal in Finland.

The Finnish Diet is probably the only Parliament in which the old division into separately deliberating

and separately voting Estates or Orders still prevails ; certainly it is the only one in which the division is into four Estates. In England we still sometimes speak of 'the Three Estates of the Realm' ; but the Lords spiritual have long been merged with the Lords temporal in one Chamber, while the Commons are supposed to represent the whole nation, and not any separate class or order. Even in Sweden, where the Finnish system originated, it has been extinct for more than a generation. The four Estates are the Nobility (*ridderskapet och adeln*), the Clergy (*prästeståndet*), the Burghers (*borgarståndet*), and the Peasantry (*bondeståndet*).

The House of Nobles is composed of the heads of all the families duly inscribed on the roll. Of these families only a few are titled. By a recent calculation there were on the roll 236 families, among whom there were only seven bearing the title of Count (*Grefve*), and forty-seven that of Baron (*Friherre*). The rest were untitled, and consist of a number of families whose heads have been raised to the nobility (*adel*) by the Sovereign, thus constituting a class of untitled hereditary Senators (using the word 'Senator' in the American sense). Membership, however, is not a personal but a family right. At the opening of each Diet the roll is called over, and if on the second roll-call the head of the house does not answer, one or other of the younger members of the family may answer in order of rank ; or the head of a house who is absent may give a proxy to a member of another noble family, who can vote in his name. A claimant who is refused membership by the verifying officials has a right of appeal to the whole Order in plenary sitting.

The House of the Clergy is by no means confined to the heads of the Lutheran Church. The Archbishop of Åbo, and the Bishops of Borgå, Kuopio and Nyslott are members *ex officio*, and there are also twenty-eight representatives of the clergy elected from the three dioceses, one or two representatives of the University, and three to six representatives of the teachers of the Lyceums and High Schools.

The House of Burghers is now composed of the representatives of the towns. Originally representation was confined to members of the trade guilds, but by the Law of the Diet in 1869, the franchise was extended to all householders; and ten years later it was still further extended to all urban ratepayers except nobles, clergy, soldiers, sailors, and so forth. The town representatives are elected directly in the proportion of about one member for six thousand inhabitants. In the Peasants' Order, on the other hand, the elections are indirect, as is the case in many Continental countries; each commune chooses one or more 'electors,' according to population, and these electors assemble in each district (*domsaga*) to elect a representative on the Diet. The rural franchise is still somewhat restricted, being confined to landowners and the tenants of the Crown lands and domain lands. As, however, the vast majority of the peasants own their farms, the number excluded is not great. Every Finnish citizen of twenty-five years and over, and belonging to a Christian Church, is eligible for election in the Order to which he belongs.

The Estates must be summoned to meet in ordinary session, according to the Law of the Diet, at least once in every five years. The Emperor may also

summon a special Diet at any time. The sittings must be held in the capital, unless war or other sufficient cause forbids. A session is, nominally, to last not longer than four months, but the sittings may be prolonged or cut short by the Emperor. There is a special election for each Diet, which lasts only for the session, although there may be adjournments before the session is closed. At the end of the session the mandates of the members expire. The Emperor nominates the President, or Marshal of the Nobles, who also acts as Speaker of the whole Diet when a joint sitting takes place. The Archbishop or one of the Bishops presides over the Order of the Clergy, the President of each of the other two Orders being nominated by the Crown. These officers are known as the *Talmän*, or Speakers.

The order of procedure differs considerably from that of other Parliaments. The Emperor or his representative having opened the session with a speech from the throne, the list of 'propositions' for legislation is laid before the Diet, which then proceeds to deal with them in its own way. There being no Ministry to direct proceedings, a Presidents' Conference is formed, which arranges, so far as possible, that the business of the Orders shall correspond, the Bills and motions not being considered successively, but simultaneously by all four Estates. Consideration in committee comes before public debate, and the first business of the Diet is to appoint the five Standing Committees, which are composed of representatives in equal numbers from all the Estates. Until the proper committee has reported on the various propositions and motions these cannot be definitely discussed.

The five Standing Committees are appointed to deal with general legislation, economic and industrial questions, the budget, taxation, and the Bank of Finland. The committees may send for any persons or papers necessary for their work. When special questions arise other committees may be appointed to deal with them, as, during the extraordinary session of 1899, the main work was done by two great committees, the Military Service Committee (*Värnepligtsutskottet*) and the Law Committee (*Lagutskottet*). A committee's report, when printed, is submitted to the Estates, which then debate and decide. The resolution of one Order is immediately communicated to all the other Orders by means of an extract from the Minutes, or, by way of exception, a deputation from one Order may wait on and address another. The conclusions of the different Orders are compared and collated by another committee, called the 'Expedition' Committee, composed of two members from each Order; or, if necessary, a general sitting of all four Estates may be summoned, on the motion of any one Order, accepted and supported by another. This general sitting is purely deliberative; it can decide nothing. The members can only vote in the sittings of their respective Orders. The Marshal of the Nobles, as has been seen, presides over the general sitting.

The proceedings of the House of Nobles are carried on in Swedish; in the other Houses Swedish and Finnish are optional; and in the Peasants' House, where Finnish naturally preponderates, official interpreters are appointed to translate speeches into Finnish or Swedish. Absolute agreement of the Estates is not necessary for ordinary legislation, the

vote of a majority in three Orders out of the four being conclusive. But in proposals involving the alteration of a Fundamental Law, or the imposition of new taxes, or fresh expenditure, the vote of all four Estates is required. If the necessary vote in three or in four of the Orders respectively is not obtained, the proposition or motion falls to the ground. There are, however, certain cases where, in the interests of the current administration of the country, such failure of a measure requiring the assent of all four Orders would be so undesirable that a special procedure already referred to has been adopted to avert it. The committee whose report is in danger of falling through is strengthened by the addition of sixty fresh members, fifteen from each House, and this 'Strengthened Committee,' as it is called, is empowered to decide the question without debate, and without its being referred back to the Estates. In this case a two-thirds' majority is necessary to carry the proposition. The Strengthened Committee comes into operation in some cases where the assent of only three Orders is necessary, and where the opinions of the Estates, without being hostile, are divergent, or where the Houses are divided two against two on some of the details of a measure which has been accepted in principle. In these cases the Strengthened Committee may carry the proposal by a bare majority. At the close of the session all the 'conclusions' of the Diet are formally drawn up, signed by the four Presidents, and forwarded to the Emperor. There is also a summary of the results of the session's work prepared. This document, called the 'recess,' is signed by all the members, and is handed to the Emperor or his representative on

the occasion of the reading of the message dissolving the Diet.

Although the old division into Estates is still maintained, it is expressly declared in the Law of the Diet of 1869 that the members of the different Houses represent, not the interests or privileges of their Order, but those of the Finnish nation. Members duly elected may not decline to serve or to attend the Diet except on the ground of old age or ill-health. There is no direct payment of representatives, but the elected members are entitled to claim from the district they represent an allowance to cover their travelling expenses and the expenses of living while attending the sittings of the Diet. A member neglecting his duties may be punished not only by the withholding of this payment, but by fine. Freedom of speech is guaranteed, and since 1886 each member has the right to bring forward for discussion in proper form, by motion or petition, subjects of public interest. Representatives who are not members of the National Church are not permitted to take part in any proceedings relating to the affairs of that Church.

The powers of a Diet meeting at distant and irregular intervals, and having no responsible Ministry to deal with, nor any continued existence between its sessions, are naturally much less complete than those to which we are accustomed in countries where the constitution is more fully developed ; but such as they are, they are clear and indisputable. Without the consent of the Diet no law can be made, suspended, altered or repealed. As regards finance, the assent of the Diet is required for the imposition of any new tax, nor can loans be raised without its authority ; but this does not

apply to Customs duties. It also controls the Bank of Finland, and appoints the directors. Of all the powers of the Diet, however, the legislative is the most important, and as this power has been directly infringed by the February Manifesto, it must be fully explained and described.

That the legislative power resides jointly in the Sovereign and the Estates is established, as we have seen, by the Form of Government of 1772, and is regulated and extended by the Law of the Diet of 1869. The vital clauses of these laws, which were, in this respect, only a reassertion of immemorial Scandinavian Law, have already been cited and need not be repeated; they leave no room for doubt or uncertainty as to the control exercised by the Estates over the making or the altering of laws. It is only necessary to remember that the word 'law' must be understood as being subject to the limitation already explained. Since the thirteenth century it was known and well established that the Swedish King had power within limits to issue ordinances (*förordning*) which had the force of law. These were really administrative regulations for completing and carrying out the law, or for providing law in cases in which the Statute Book, properly speaking, was silent. But the King had no power without the assent of the Estates to alter the law as expressed in the Statute Book.

When, in the eighteenth century, the Diet undertook its great work for the codification and amendment of the antiquated laws of Sweden, all these laws and ordinances, so far as they relate to Civil and Criminal Law and Procedure, were collected and presented as a whole in the 'Codex' of 1734, and on this compara-

tively complete code coming into force by the authority of the Diet, it was recognised that, so far as Civil and Criminal Law was concerned, the King's right to issue ordinances had ceased, the ground being fully occupied by Statute Law. But the Codex of 1734 did not deal with various matters of economic and administrative law, and in this field the King's privilege continued, and was not affected by the Form of Government of 1772. Within this limit the rights of the King of Sweden were inherited by the Emperor of Russia when he became Grand Duke of Finland, and that right he still retains, save in so far as it has been legally limited by the joint action of the Emperor and the Estates in superseding it by Statute Law; for once Statute Law steps in the Sovereign's legislative power ceases. The Land Law and the Industrial Law of Finland have thus passed from the region of royal ordinances to that of statute. Nor is there any usurpation in this, for as no law can pass without the consent of the Emperor, the surrender of power can only be voluntary. In the case of the Press Laws of Finland, it will be remembered that comparatively recently the Tsar refused to sanction a measure passed by the Diet, and the power of regulating the press thus remains in his own hands. On the other hand, when, as in the case of the Military Service Law of 1878, the Emperor after due deliberation joins with the Diet in adopting a statute, it is absurd for Russian writers to pretend that his personal rights have been improperly usurped by the Finnish Diet.

There are still in Finland a large number of cases, such as in England would come under the Home Office or the Local Government Board, which afford legitimate

scope for these administrative ordinances, the difference being that in England departmental regulations and by-laws possess binding force only in so far as they carry out the law, whereas in Finland these ordinances have of themselves the full force and effect of law, although no doubt it is a recognised principle that they must not conflict with the spirit of the existing law.

Laws in the strict sense of the word are of two kinds — Constitutional or Fundamental Laws, and General Laws. Constitutional Laws, as we have seen, can only be altered on the initiative of the Emperor, and with the consent of all four Estates. When it is intended to include a new Act or certain sections of an Act among the Fundamental Laws, the intention is expressed in the body of the Act and in the Imperial decree sanctioning and promulgating it. Reference has already been made in an earlier chapter to the decree in which the Emperor Alexander II. proclaimed the Law of the Diet in 1869. But the fundamental nature of that law is also expressed in the last paragraph of the Act itself, as passed by all the Estates in 1867 : 'This Law of the Diet as a whole shall be valid as an irrevocable Fundamental Law, binding on the Sovereign and the Estates of Finland until it shall have been repealed or amended by their corresponding decision.' In order to guard against hasty alterations of these 'irrevocable' Fundamental Laws, it is enacted that when any proposal affecting any of them is brought forward, it may, if at least two of the Estates so resolve, be postponed until the next Diet.

In the case of General or Ordinary Laws which may be carried by the agreement of any three of the Estates, the initiative for their introduction, amendment or

repeal may come either from the Estates or from the Emperor. It sometimes happens that a law is of a mixed nature, certain sections being general, whilst others are expressly declared to be fundamental. This is the case in the Military Service Law of 1878, and the matter is still further complicated by the fact, already referred to, that in certain military matters the Emperor himself is entitled to act through the Russian Minister of War. The Church Law, again, is in some respects to be regarded as a General Law, but it has this peculiarity, that here the initiative belongs to the Church Synod. It was also made a matter of express reservation in the law of 1886, granting to the Estates the power of initiative, that in the case of press legislation the initiative should remain with the Emperor. In all cases in which the Emperor's power with regard to Finland is referred to, it is hardly necessary to explain that, save in the points already excepted in connection with foreign and military affairs, the power possessed is not that of the Autocrat of Russia, but of the Grand Duke of Finland, acting through the properly-constituted channels—the Minister-Secretary of State for Finland and the Finnish Senate. There is also a difference in the form of signifying the Imperial sanction of Constitutional and General Laws. A Constitutional Law is signed by the Emperor himself, and countersigned by the Finnish Secretary of State; a General Law is signed by the members of the Senate, 'by His Majesty's own decision.'

It will be seen from this examination of the practical working of the Finnish constitution that, although so closely connected with Russia, Finland enjoys the essentials of a free Government. Readers of Mr.

Dicey's chapter on the 'Rule of Law' * will remember the three great canons which he lays down as tests of the supremacy of the law. To the first two of those tests the Finnish constitution seems to answer completely. In Finland, as in England, 'No man is punishable, nor can he be lawfully made to suffer, in body or goods, except for a distinct breach of law established in the ordinary legal manner before the ordinary courts of the land'; and in the second place: 'Every man, whatever be his rank or condition, is subject to the ordinary law of the realm, and amenable to the jurisdiction of the ordinary tribunals.' There may still be some remnants of exceptional jurisdiction in Finland in connection with the privileges of the nobility or the clergy; but these can scarcely be regarded as infringing the rule of law, any more than can, for example, the powers of discipline exercised over its members by an Inn of Court or the Medical Council. It must be admitted, however, that when subjected to the third test the Grand Duchy falls short. The fact that the judges of the Supreme Court are Members of the Executive, holding their office by a brief tenure, and dependent for reappointment on the act of the Sovereign, constitutes an obvious weakness, and explains why Mr. Dicey's words, 'the general principles of the constitution are with us the result of judicial decisions, determining the rights of private persons in particular cases brought before the courts,' do not apply to Finland. In the lower branches and for ordinary occasions the rule of law is complete; but it is to be feared that if the supreme test were applied, and the High Court required to try its strength against

* 'The Law of the Constitution,' Part II., chap. iv.

an aggression on liberty on the part of the Crown, the challenge could not be taken up.

We sometimes forget that our own Parliamentary constitution has been a thing of gradual growth, and that a small and intermittent body like the Finnish Diet differs in degree of development, and not in essence, from the all-powerful British Parliament. Burke's words on the House of Commons as it existed in former times apply to three out of four of the Estates in Finland to-day. 'The House of Commons,' he said in his 'Thoughts on the Cause of the Present Discontents,' 'was supposed originally to be no part of the standing government of this country. It was considered as a control issuing immediately from the people, and speedily to be resolved into the mass from whence it arose.' Its lack of continuity and the absence of a responsible Ministry render it impossible for the Finnish Diet to exercise such uninterrupted sovereignty as the British Parliament; yet it is in principle sovereign. It should not be necessary once more to warn English readers against the blunder constantly made by Russian writers who regard the Diet and the Sovereign as essentially distinct, and possibly hostile, powers. In England, King, Lords, and Commons constitute the King in Parliament, and legislate as such; and similarly in Finland, Grand Duke, Lords, Clergy, Burghers, and Peasants constitute in combination the sovereign legislative body. It is this joint power that has, like our Parliament, 'the right to make or unmake any law whatever.'

The objection made that the Tsar is an autocrat, that 'the autocracy cannot limit itself,' and that, therefore, his power in Finland remains absolute,

although he may from time to time be pleased to confer this or that institution on his people, is quite beside the mark. It is true that the autocracy cannot limit itself. The Tsar governs in Russia in accordance with certain rules, which for want of a better word are called laws, and with the help of various bodies, and persons called Senate, Council, Ministers, Governors, Judges, and so forth. These are, however, laws and officials alike, all of his own creation, and may be destroyed or changed at any moment. But this autocracy never existed in Finland; the extracts already copiously made from the original pledges and documents of 1809 are conclusive on this point. If the Tsar bought an estate in England, that estate would remain subject to the law of the country; and the objection that the Tsar, being an autocrat, could not limit himself, would not prevail against an English contract. Similarly, when the Tsar Alexander assumed the government of Finland, he bound himself and his successors, not as Tsar, but as Grand Duke, by the laws of Finland, and these constitute no limitation of his authority as Tsar, but are conclusive as to his powers as Grand Duke.

CHAPTER XII.

THE FEBRUARY MANIFESTO.

HAVING established the fact that Finland possesses a constitution, and that that constitution is binding on the Tsar by every possible obligation, constitutional, legal, and personal, we come to another objection which illustrates the difficulty Finland has all along found in dealing with the Russian attack. Writers known to be official, or acting under official inspiration, first denounce and ridicule the whole Finnish position. It is declared to be a 'conspiracy,' a 'mystification,' an attack on the sacred principle of autocracy, or even on the safety and prestige of the Russian Empire—a conspiracy that has its origin now in the national perversity of the Finns, now in the intrigues of Germany, of Sweden, even of England, although, as a matter of fact, England has been one of the last of the European nations to realize the fact that there was a constitutional conflict going on in Finland. When this position is destroyed by a citation of the simple facts of history, new ground is taken up, and it is argued that, although a constitution was guaranteed, the action of the Tsar in the cases of the Military Service Bill and the February Manifesto does not constitute any infringe-

ment of that constitution ; while by way of combination of the two arguments, some will have it that it is true the Tsar 'conferred' a constitution on Finland, but, circumstances being changed, he is at liberty to modify or abolish it. In the words credited to a Grand Duke, 'What a Tsar gave a Tsar can take away.'

The second argument is the one that concerns us most at the present moment. It is the one put forward formally by the Tsar himself ; it is obviously the only one that as a man of honour he could put forward. When deputations from the Estates and from the Senate endeavour in vain to obtain a hearing for their remonstrances, his answer is that all the fuss is quite unnecessary ; that the Imperial word will be kept ; that the Finnish constitution is quite safe under his guardianship. A little discussion of the events of the last few months will show that this position is as untenable as the others, and is utterly inconsistent, not only with the terms of the original compact made at Borgå, but with the whole course of government under that compact during the last ninety years. The Tsar's present advisers will hardly claim to be experts in Constitutional Law. General Kuropatkin, M. Goremykin, or M. Pobiedonostseff, would regard a study of the Finnish Fundamental Laws as a waste of time. The old race of Finnish Secretaries of State is extinct, a Russian official from the Ministry of the Interior sits in their seat. But surely in a matter which preceding Tsars, at any rate, regarded as vitally concerning their honour and their credit there should be someone among the hordes of functionaries capable of instructing the Tsar as to the essential facts of his position as Grand Duke of Finland.

In order of time, the military service scheme came before the February Manifesto ; but it will be more convenient to take the two in their natural order, for the Military Bill is evidently only a particular application of the general principle laid down in the Manifesto and the statutes annexed to it.

It is true that General Kuropatkin wished, as a previous War Minister in the time of Alexander II. had wished, to enforce the new military service scheme by direct Imperial decree, a step that would have rendered unnecessary the discussion of constitutional details. But such a direct violation of law did not commend itself ; it was decided, instead of abolishing the constitution, to explain it away ; and thus the Manifesto constitutes an important new departure in Russian policy. It is no longer the outpourings of the 'jackal' press that have to be considered, but a formal Manifesto under the Imperial signature.

When the Extraordinary Diet summoned by the Tsar to consider the Military Service Bill met on January 24, 1899, there was a perceptible menace in the words with which the new Governor opened the session when he hinted that, whether the Estates consented or not, the military forces of the Grand Duchy would have to be put on a new footing. Entirely ignorant of the country and its languages and institutions as General Bobrikoff was, he could scarcely have imagined that the matter would be so easily disposed of, for, it will be remembered, the point in dispute is no new one. Alexander I. had brought forward the army question in the very forefront of his propositions to the first Diet in 1809, and when, after the change in the centre of gravity of Europe in

1870-71, all the powers took to recasting their military organization, the question naturally came up again in a fashion that must have been fairly familiar to Russian soldiers. General Miliutin, who wanted to get as many men as possible, and who naturally wished to go the shortest way to work, drew up a memorandum for Alexander II., arguing that Finland ought to be treated like any other part of the empire. 'Finland,' he wrote, 'while enjoying its own local administration and special laws, should not be allowed to acquire the attributes of a separate and independent State; its connection with the empire should be expressed above everything by unity to the supreme power as well as unity in the conduct of diplomatic and military affairs. No part of the State can be permitted to have a separate military force. The Finns,' said General Miliutin in conclusion, 'must perform military service equally with the other populations of the empire and amalgamate with them in forming one Russian army.'

These are excellent principles for a Russian Minister of War, nor is it wonderful that Alexander II. should have written on the margin of the report: 'The main principles herein set forth entirely coincide with my own ideas, and I retain it for further consideration.' But when the 'further consideration' came to be given to the matter, the Tsar Liberator, who a few years before had explained the principles of constitutional monarchy on which he proposed to govern Finland, discovered that the course recommended by General Miliutin was in flat contradiction to the Finnish constitution; and so, when at last a scheme was elaborated in proper form, not only did he give

effect to it in the shape approved by the Estates, but he joined in the making of several of its most important clauses an 'irrevocable Fundamental Law,' which could never be altered except with the consent of all the four Estates. Later on, when further changes were being made in 1891, General Vannoffski, Minister of War to Alexander III., made a somewhat similar suggestion, which met with the same fate. All this would seem sufficiently conclusive as an admission that the Finnish army is a matter for the Finnish Diet, but the War Office officials have actually—as we shall see later—had the ineptitude to bring forward and make much of the unsuccessful attempt of General Miliutin as an argument, apparently, in favour of their being permitted to violate the law on this occasion because they were not permitted to do so before.

The War Office in St. Petersburg and the Governor in Helsingfors could therefore have been under no delusions as to the nature of the reception that would be given to a military service scheme that had been prepared not, as the constitution directs, by the Finnish Senate, but by the Russian authorities, and that had been sent on to Helsingfors for the authorities there to make any remarks that might occur to them on its wording. Already on January 30 a secret Commission had begun its sittings under the presidency of the Grand Duke Michael Nikolaievitch, and as soon as General Bobrikoff had made sure that things would follow their normal and legal course at Helsingfors, he hastened back to St. Petersburg to consult with the Commission, of which he was appointed a member, and on which the sinister figure of M. Pobiedonostseff, the High Inquisitor of Russia,

was suggestively prominent. Two more sittings, on February 10 and 13, were sufficient to complete the preparation of the Manifesto and the statutes. On the 14th the Tsar's signature—post-dated—was obtained, and on the morning of the 15th General Bobrikoff was back in Helsingfors with the weapon in his pocket which was to put an end to all the 'perverted ideas' of the Finns about the rights of their Diet. He showed it privately to one prominent Senator who had in the past been regarded as the most friendly to Russia of all the Finnish politicians, but even that chosen confidant was appalled at the illegal and revolutionary nature of the document, and implored that it might be withheld till friendly remonstrances could be made at St. Petersburg. The appeal was in vain, and the Manifesto was issued on the same day.

It runs as follows :

'We, Nicholas II., by the Grace of God Emperor and Autocrat of All the Russias, Tsar of Poland, Grand Duke of Finland, etc., etc., etc., do hereby make known to all Our faithful subjects that :

'The Grand Duchy of Finland, which since the beginning of the present century has been included in the Russian Empire, possesses, by the gracious consent of the Emperor Alexander I. of blessed memory and of his august Heirs, special institutions with regard to interior administration and legislation which are suited to the conditions of life in that country.

'But besides the local legislative matters in Finland emanating from the peculiar conditions of society in that country, there also arise in the administration of the Empire other legislative questions in regard to Finland which on account of their intimate connection

with the general interests of the Empire cannot be exclusively treated and decided by the institutions of the Grand Duchy. In regard to the manner in which such questions are to be decided the laws now in force do not contain any definite stipulations, and the lack of these has brought about serious difficulties.

‘In order to remedy these difficulties, We, constantly bearing in mind the welfare of all Our faithful subjects without respect to persons, have seen fit, in order to complete the Ordinances now in force and for the observance of the respective authorities in the Empire and the Grand Duchy, to establish a fixed and unchangeable order for their work in elaborating and issuing laws of general interest and importance for the Empire.

‘Whilst maintaining in full force the now prevailing statutes which concern the promulgation of local laws relating exclusively to the internal affairs of Finland, We have found it necessary to reserve to Ourselves the ultimate decision as to which laws come within the scope of the general legislation of the Empire.

‘With this in view, We have with Our Royal Hand established and confirmed the “Fundamental Statutes” for the preparation, revision, and promulgation of laws issued for the Empire, including the Grand Duchy of Finland, which are proclaimed simultaneously herewith.

‘In conformity with Our Crowned Forefathers We see a guarantee for the advancement of Finland in the most intimate union of that country with the Empire. Under the protection of Russian rule, and rendered strong thereby, Finland has, during nearly a whole century, made constant and steady progress in peaceful

development, and it has been a source of happiness to Us to see by the lately delivered assurances of the Estates that the feeling of devotion for Us and Russia is ardent in the hearts of the Finnish people.

‘We feel assured that a co-operation between the authorities of the Empire and the Grand Duchy of Finland in the legislative matters which concern their common interests, if founded on the fixed precepts of a positive law, will tend to a still more effectual extension of the benefits and advantages of the Russian Empire.

‘Issued at St. Petersburg this third (fifteenth) day of February, 1899 A.D., and in the fifth year of Our Reign.’

It would have been well for Nicholas II. and for the credit of Russia before the civilized world if, before permitting himself to sign the above, he had studied the utterances and the solemn pledges of those crowned forefathers to whom the Manifesto alludes. If he had remembered the words of Alexander I. when that Sovereign, having assured himself that ‘the constitution and the laws which in conformity with the character, the customs, and the civilization of the Finnish people have through a long series of years formed the basis of their civil liberty and peace, could not without danger be limited or altered,’ proceeded to ‘confirm for all time the assurance of a separate constitution for the country under Our sceptre and that of Our successors,’ he would scarcely have authorized the appearance of the meaningless sentence about the ‘institutions suited to the conditions of life in that country’; whilst the assurance to the Diet of Borgå that Finland was a nation under the empire of its own

laws hardly fits in with the claim that in the Emperor resides the 'ultimate decision' whether the nation shall have its own laws or those of a St. Petersburg official.

Nicholas II. is instructed to say that he sees 'a guarantee for the advancement of Finland in the most intimate union of that country with the empire.' Alexander II., who knew the Finlanders better than any of the present generation of Russians, because he went among them and ascertained their feelings, had also aspirations 'for the prosperity of a country very dear to my heart;' but he found guarantees for that prosperity in the faithful observance of the constitution and in the fact that 'none of my acts has been such as to disturb the good understanding that ought to exist between the Sovereign and the nation.' And he was justified in his confidence, for it was under his rule that Finland began to make such extraordinary progress, whilst the 'disturbance' caused by this one ill-advised act of Nicholas II. has been the signal for a steady stream of emigration and for a general decline in prosperity. The fact that 'nearly a whole century' of 'constant and steady progress in peaceful development' had been the result of a strict policy of non-interference seems a poor argument for violently reversing the system that worked so well and entering on a course of Russification whose first result has been effectually to check the progress and peaceful development of Finland.

The Fundamental Statutes above alluded to require special study. They are signed by the Grand Duke Michael, President of the Imperial Council, and on the margin the Emperor has written 'So may it be.'

'1. The original preparation of laws issued for the

Empire, including the Grand Duchy of Finland, shall take place, on each occasion, with the gracious Imperial consent, in cases where the general course of administration necessitates the preparation of a new law or the alteration or supplementing of a law already in force.

‘2. This mode of procedure is to be observed both with respect to the laws which are applicable throughout the whole Empire, including the Grand Duchy of Finland, and with respect to the laws which are applied only within the limits of the Grand Duchy, in case they touch the common interests of the Empire, or are connected with the legislation of the Empire.

‘3. Application for gracious Imperial consent in regard to the execution of the aforesaid laws (secs. 1, 2) shall be made by the duly authorized and appointed Minister of the Empire and the Minister-Secretary of State for the Grand Duchy of Finland, after having mutually communicated with each other. When the Governor-General of Finland, with respect to the course of the administration of the Grand Duchy, finds it necessary to supplement the laws in force in the country, in the manner fixed and established by these statutes, he has a right, in order to effect their further examination, to communicate his proposals on the subject to the proper Minister of the Empire and the Minister-Secretary of State for the Grand Duchy.

‘4. After the gracious Imperial consent has been obtained for the issuing of a law or laws for the Empire, including the Grand Duchy of Finland, the Minister of the Empire shall communicate with the Governor-General of Finland, the Minister-Secretary of State for the Grand Duchy of Finland, and the Imperial

Senate of Finland, in order to get their opinion in regard to the wording of the proposed law.

‘5. With respect to the legislative proposals which, in accordance with the ordinance for the internal administration of the Grand Duchy of Finland, are handed over to be treated by the Diet of Finland, it is necessary to have the opinion of the Diet in making the laws mentioned in sec. 2 of these statutes. The opinion of the Diet shall be given at its nearest following ordinary session, unless there should be a gracious Imperial command for convening an extraordinary session for this purpose.

‘6. After the opinions of the Governor-General of Finland, of the Minister-Secretary of State for the Grand Duchy of Finland, and of the Imperial Senate of Finland, and, in proper cases (see sec. 5) of the Diet of Finland, have been ascertained, the Minister of the Empire hands over the legislative proposal to the Imperial Council in the form and manner ordained by the Statutes for the Imperial Council. The documents on this subject must be accompanied by a copy of the opinion of the Senate and Diet.

‘7. This legislative proposal is examined on common principles under the co-operation of the Governor-General of Finland, the Minister-Secretary of State for the Grand Duchy of Finland, and of the Senators in the Imperial Senate of Finland, who, after gracious Imperial election, have been especially appointed for this purpose.

‘8. The gracious decision of the Imperial Council in regard to such legislative proposal shall be promulgated in the duly ordained form and manner both in the Empire and in the Grand Duchy of Finland.’

Perhaps the best commentary that can be made on this revolutionary decree, which plunged all Finland into consternation, is to explain in the fewest possible words what has hitherto been the procedure with regard to the preparation of new laws proposed by the Emperor—the procedure prescribed by the Form of Government of 1772, and the Law of the Diet of 1869, and followed by successive Tsars.

The Emperor, having elaborated the scheme of the Bill in consultation with the Minister-Secretary of State for Finland, and (until the Committee was abolished) the Committee for Finland, forwarded it through the Finnish Chancery in St. Petersburg to the Senate in Helsingfors. The Senate then examined the Bill with the assistance of the Procurator-General as to legal points, and the measure thus finally elaborated was then laid before the Estates, which in their turn might approve, modify, or reject. The Bill, if finally approved—according to its character by three or by all four of the Estates, went back to the Emperor through the proper channels, and if accepted, was signed and promulgated. If the Tsar disapproved of it as it came back to him, there was an end of it until or unless it was again brought forward at a subsequent Diet. Neither the Tsar nor any other authority could alter it between the time it received the signatures of the *Talmän* and its promulgation as a law.

Now observe how at every essential step this legal procedure is suspended and a series of illegalities substituted. It must be recollected throughout that the all-important post occupied for over sixty years in succession by Reh binder and by Armfelt is now filled

by a Russian official, M. de Plehve. The Finnish Secretary of State is the man who has the ear of the Emperor, who has to guide him as to the facts and the law of Finnish affairs. So long as the occupant of the office was a Finlander of statesmanlike tact and strength, it was impossible for a Tsar to go far wrong ; the fact that even the first Nicholas, in spite of his autocratic strength, drew back when it was pointed out to him that he had inadvertently trespassed on the constitutional rights of Finland proves this. What chance has the case of Finland of being fairly and forcibly stated when the Secretary for Finland is an ex-employé of the Ministry of the Interior ? It is a serious matter for the Grand Duchy that in the future interpretation of the Manifesto and the statutes, which teem with ambiguities, there will at the critical moment be no one near the Tsar—himself entirely uninstructed as to Finland—to see that the balance is held even between the nation of two millions and a half and the nation of a hundred millions.

There is, in the first place, introduced a novel classification of laws unknown to the first or the second Alexander, the men who moulded the relations of Finland to the empire. We have measures applicable to the empire including the Grand Duchy of Finland, measures applying only to Finland, but affecting in some way the interests of the empire, and finally, as a miserable remnant—if there be any remnant—measures affecting Finland alone. As the Tsar has ‘found it necessary’ to reserve to himself ‘the ultimate decision as to which laws come within the scope of the general legislation of the empire,’ and as he will in the future have no Finnish Secretary

competent or desirous to instruct him in the interests of Finland, it seems to follow that few indeed will be the measures proposed in which some trace of Imperial interest may not be discovered. Coinage, postage, railways, land tenure, to name only a few recent cases, have all been treated as of Imperial interest. The right of Finlanders to be governed by their own laws, and to make those laws, has passed at a stroke of the pen from the region of guaranteed constitutional right to that of Imperial favour.

Next, when the 'Imperial factor' has been found latent in any proposal referring to Finland, all the forms so carefully laid down in the laws of 1772 and 1869 become mere waste-paper, and the new 'fixed and unchangeable order' of February 15, 1899, comes into force. The 'duly authorized and appointed Minister of the Empire' consults with the Minister-Secretary of State for the Grand Duchy of Finland, and these two (who under present arrangements are practically one) having agreed, the gracious Imperial consent to the issuing of the 'law,' thus enacted without reference to any qualified Finnish citizen or authority, is obtained. *After* the gracious Imperial consent, the opinion of the Senate is to be taken as to the 'wording' of the law. In certain 'proper cases'—the Tsar deciding as to the propriety—the Diet of Finland is also to have an opportunity of offering its 'opinion.' Finally, appearances having, to this extent, been observed, the measure comes back to the real legislators, the Imperial Council, and is by them considered and 'promulgated in the duly ordained form and manner.' Legislation for a country which had been guaranteed the position of a 'free

nation under the empire of its own laws,' is to be prepared by Russian officials, sent on to the Finnish authorities for their 'opinion,' and then sent back to the Russian officials for final revision and promulgation.

In the usual course the manifesto and the statutes came before the Senate, without whose authority no law or ordinance or manifesto can be promulgated in Finland. There was no difference of opinion in this very sober and unemotional body, composed entirely of nominees of the Tsar, as to the gross illegality of the Manifesto. The only difference of opinion was as to whether the Senate should publish and protest, or protest and refuse to publish. Ultimately, as we have seen, the former course was adopted by the casting vote of the Vice-President. There was a general feeling in Finland, outside the Senate, that this course was lacking in firmness; but allowance must be made for difficult and perilous circumstances. The written opinion of the Procurator-General, the keeper of the legal conscience of the Senate, was clear and precise.

It was as follows :

'Whereas the Gracious Manifesto which has now been forwarded for promulgation to the Imperial Senate does not come in the order prescribed by sec. 40 of the "Form of Government" of August 21, 1772, and sec. 71 of the Law of the Diet of April 15, 1869, for the making of Fundamental Laws in the country, and also since no Finlander versed in legislation has co-operated in the preparation of the project for the Gracious Manifesto, nor has the Senate been given any opportunity to express its opinion in regard to it ;

‘Therefore I must suppose that His Imperial Majesty has not been informed in how essential a degree the Imperially sworn constitution of Finland, and through it the rights of the whole Finnish people, have been affected by the statutes annexed to the Gracious Manifesto ;

‘And whereas I venture to assume that His Imperial Majesty, providing that the facts in the case were humbly laid before His Imperial Majesty, would be graciously pleased either to recall the Gracious Manifesto in question, or at least to issue an Act of Assurance, stating that its contents are not intended to impair the right assured to the Diet by the constitution to partake in the solving of such legislative questions as are mentioned in said Manifesto ;

‘Therefore I submit that before the Senate promulgate the Gracious Manifesto, the Senate ought first to appeal to His Imperial Majesty in this matter, and I venture to express the opinion that such a petition would be graciously received by His Imperial Majesty, and would in no case be understood otherwise than as a faithful execution of the duty of His Imperial Majesty’s Finnish councillors.’

The unanimous address of protest which was drawn up by the Senate, and which it was proposed should be presented to the Tsar in person by the Vice-President and the Procurator-General, is a powerful and in some respects a touching document, especially when it is remembered that the Senators hold their offices by Imperial favour, and that a majority of them are identified with the party which has in the past been accused of undue sympathy with Russia and Russian interests. It firmly repels the illegal methods

of the Manifesto, while admitting that there may be subjects for legislation not provided for in the present Law of the Diet.

Its main passages are as follows :

‘ By the Gracious Imperial Manifesto of the 3/15 of this February, Your Imperial Majesty has established special Fundamental Statutes in regard to the preparation, revision, and promulgation of laws issued for the Empire, including the Grand Duchy of Finland.

‘ While the Senate, according to Your Imperial Majesty’s gracious command, has published the copies of said Gracious Manifesto and Fundamental Statutes which have been received, the Senate, to whom the general guidance of the country has been entrusted, has regarded it to be a holy duty, enjoined not less by its oath of office than by its aforesaid capacity, most humbly to express to Your Imperial Majesty the doubts and scruples which the said Gracious Manifesto and Fundamental Statutes have called forth in the Senate.

‘ The domestic government of Finland and its relation to the Empire were established by Emperor Alexander I. of blessed memory, by Gracious Assurance of 15/27 March, 1869. Through this solemn promise, which was, as the Emperor graciously pleased to express himself, drawn up in the presence of the Estates of the Diet, and proclaimed in the sanctuary of the Most High, the Emperor confirmed and ratified “the religion and Fundamental Laws of the country, as well as the privileges and rights which each class, in the Grand Duchy in particular, and all the inhabitants in general, be their position high or low, have hitherto enjoyed according to the constitu-

tion." That the Emperor hereby referred to the constitutional rights due to the Finnish subjects, according to the constitution formerly in force in Finland, or, more definitely speaking, to their ancient right of self-taxation and participation in legislation, is self-evident.'

After reciting the series of Imperial speeches, proclamations, and assurances following the Borgå Diet, the Senate went on to say :

'Since Finland is connected with, but subservient to, the Empire, which has the sovereign power, it follows as a natural consequence that a number of questions, principally those which concern the order of succession, the Imperial Family, and international relations, are entirely exempted from the treatment of the Finnish authorities.

'But questions which, according to the constitution of the country, as it had been established and applied by Emperor Alexander I. and his heirs, devolve upon the Finnish authorities cannot be exempted from the legal treatment of these authorities simply because they also concern the whole Russian Empire, or general interests, or otherwise are connected with the legislation of the Empire, for the said constitution, whose object, as Emperor Alexander I. had many times asserted, was to provide for the Finnish people a national and political existence, implies that Finland is an internally independent legislative and administrative district, for which laws are made by the Monarch with the co-operation of the institutions of the country. In case the constitution requires the action of the Diet in making a law, the decision of the Diet ought to be confirmed by the Monarch without alteration, or the

matter must be considered as having lapsed for that time. In other cases the Monarch alone makes the decisions which he regards to be beneficial for the country.

‘In Section 5 of the Fundamental Statutes, however, it is ordained that in regard to the legislative proposals, which, according to the Form of Government for the internal administration of the Grand Duchy of Finland, are handed over to the Finnish Diet for treatment, it is also necessary to have the opinion of the Diet in the elaboration of so-called Imperial laws. But the legislative proposals which according to the Fundamental Laws of Finland ought to be handed over to the Diet, are not only subjects for the opinion of the Diet, but should be decided by the Diet by enactment, which, as above observed, ought to be confirmed and ratified by the Monarch without alteration, or be vetoed. Since the wording of the aforesaid Fundamental Statutes implies the possibility that a law could be issued at variance with the opinion of the Diet, these Fundamental Statutes consequently contain a restriction in the rights which are assured the Diet by the constitution. And this restriction is all the more alarming, since the scope of the laws which may be considered to touch the interests of the Empire is in no way restricted, but could be extended to any legislative subject.

‘Therefore, since the Fundamental Statutes in question imply a deviation from the constitution of Finland, it follows that this legislative Act ought not legally to have come into existence without the co-operation of the Diet, since, according to section 71 of the Law of the Diet, “Fundamental Laws can be

made, altered, explained, or repealed, only on the representation of the Emperor and Grand Duke, and with the consent of all the Estates.

‘The Senate, therefore, feels called by duty most humbly to announce to Your Imperial Majesty that the legislative Act now in question has not come into existence in the order prescribed by the Fundamental Laws of Finland. Neither does the Senate hesitate most humbly to express the conviction that the Finnish people, both high and low, must therefore regard it as a suppression of the constitutional right of the Finnish people, while this people is not conscious of having forfeited this right through any act or conduct on its part.

‘Most Gracious Emperor, the inhabitants of Finland will never cease to bless the memory of the high-minded Monarch who, when Finland, at the time of her union with the Empire, went to meet new destinies, knew how to bind this people to His Imperial person by the inseparable bonds of faith and love. The Finnish people are all deeply conscious of the debt of gratitude which it bears to all its succeeding noble Monarchs for the protection they have given this people, and for the benevolence they have shown it. It also has such a high esteem for the consecrated person of the Monarch and for the irrevocability of the Imperial word, that it has always seen in them an unflinching support for maintaining the lawful position of the country. Therefore, Your Imperial Majesty’s Senate cannot for a moment think that it is Your Imperial Majesty’s gracious will and intention to recede from the solemn assurance to the Finnish people which Your Imperial Majesty gave on ascending

the throne in regard to preserving the constitution of the country steadfastly unaltered, and in full force. The Senate must therefore suppose that the constitutional rights of Finland have here been overlooked—an oversight which, unless repaired, will spread great uneasiness and dejection among the Finnish people, and paralyze its efforts for raising the standard of education and prosperity in its northern home, so little favoured by Nature.

‘Whereas the Senate has the firm conviction that Your Imperial Majesty, by this as well as by all other Imperial acts, intended to promote the welfare of the Finnish people, and whereas a due consideration of the constitutional rights would not be at variance with the order prescribed in the Fundamental Statutes, the Senate ventures in all humility to request :

‘That Your Imperial Majesty may graciously please to declare that the said legislative Act was not intended to restrict the constitutional rights of the Finnish people.

‘Since, however, there is no doubt but that there are legislative questions touching the general interests of the Empire which ought to be treated in another way than that hitherto customary, and since the Senate is convinced that the Finnish people will not hesitate to make the concessions and sacrifices which are needed for the real good of the Empire, the Senate also ventures in all humility to request Your Imperial Majesty to appoint a committee of properly instructed persons, both Russians and Finns, with the gracious command to prepare a proposal for a law in regard to the legislative treatment of matters touching the general interests of the Empire, which proposed law, after a

careful preparatory examination, should be handed over to the Finnish Diet, to be treated by that body in accordance with the Finnish constitution.'

When the Vice-President, and the Senate, and the Procurator-General proceeded to St. Petersburg with this remonstrance and suggestion, they were not received by the Emperor; and on their petition being handed in by the Secretary of State for Finland, it came back with the Imperial endorsement, 'Does not deserve any intervention.'

Meanwhile, the Estates, through their Law Committee, had taken note of the grave encroachment on their guaranteed rights, and they, too, resolved to send in a protest. After mentioning some irregularities in the presentation of the Military Service Bill, which will be referred to later on, the address from the Estates proceeded to point out that :

'The course of legislation for laws to be enforced within the Grand Duchy ordained by the Statutes contained in the Imperial Manifesto deviates essentially from that prescribed by the Form of Government of August 21st, 1772, and the Law of the Diet of April 15th, 1869. The Diet would, under the new scheme, take part in the making of Imperial laws, or laws in common for the Empire and the Grand Duchy, only by giving opinions, which, after being examined by the Imperial Council, could be subject to alteration when finally brought before His Imperial Majesty.

'Thus, since the Manifesto aims at an alteration of the Fundamental Laws in force, and since such an alteration can only be made "by a representation from the Emperor and Grand Duke, and with the unanimous consent of the Diet," it is evident that the Manifesto

which has come into existence without the co-operation of the Diet cannot have the force of law in Finland.

‘With respect to this, and since such a state of things is apt to disturb the reverence which our people have since ancient times paid to the laws of the country and to the word of the Monarch, and since there is cause to suppose that the real nature of the matter has not been completely represented to His Imperial Majesty, it must be considered the urgent duty of the Diet—not only its duty to the country, but also to the Monarch—to try to bring the said circumstance to the knowledge of His Imperial Majesty without delay, and to obtain an arrangement of the legislation treated of in the Manifesto in a manner complying with the requirements of the constitution.’

The Marshal of the Nobles, and the three *Talmän* of the Clergy, the Burghers, and the Peasants, duly went to St. Petersburg to present the petition, but they got no further than the offices of the Secretary of State. ‘His Majesty,’ the Secretary announced, ‘felt greatly moved because they had thought he would break his word, declared that he would not receive the deputation, but told the Minister-Secretary to request the members of the deputation to return to their work, and also to inform them that His Majesty considered that he had given the country the best guarantee for an undisturbed preservation of its home legislation when he himself undertook in every separate case to decide if a matter was of that nature that it ought to be classed under Imperial legislation, and if so be referred to the consideration of the highest legislative authority.’

These successive rebuffs were naturally very dis-

heartening to the Finlanders, who saw their inheritance of self-government disappearing before their eyes as if by the action of some irresistible and silent force that was deaf to all appeals and arguments. Nor were the complacent assurances of the Tsar's 'personal attention in every separate case' regarded as providing any adequate substitution for well-defined constitutional rights. Even if the present Emperor's knowledge of the Finnish constitution had been as extensive as that possessed by the first or the second Alexander, and even if he had had at his side as advisers statesmen of the stamp of Rehbindorff or Armfelt, instead of a group of officials intent only on unification, such assurances could only have possessed a temporary and personal value.

It is interesting to remember that this very point of benevolent despotism, as against constitutional guarantees, had naturally come up in the course of the discussion already referred to between Alexander I. and Madame de Staël. Alexander recognised at that time that a semi-Asiatic despotism was an impossibility as a permanent arrangement in an empire coming rapidly into contact with European civilization. Madame de Staël was eager to assure the Tsar that a constitution was unnecessary, since his known character and amiable intentions were at once a charter and a constitution for his Empire. Alexander's reply, that even if that were so, he personally could only be regarded as a 'fortunate accident,' has become classical, and is the conclusive answer to such arguments. Even the 'fortunate accident' is in this case wanting, for how can the future be regarded as safe under the 'personal attention' of a Tsar, no matter

how well-meaning, who has already shown himself so deplorably ignorant as to the past, so obstinately inaccessible to argument as to the present?

One more attempt was to be made to impress upon the Tsar the nature and extent of the dismay created in Finland by what M. Pobiedonostseff has admitted to be the 'suspension of its privileges.' The Senate, combining the Executive and the Supreme Judiciary of the country, had protested unanimously that the Manifesto and statutes were illegal, and in doing so they acted on the written opinion of the Procurator-General appointed by the Tsar to advise the Finnish Senate on points of law. The Estates, divided as they had been only in the last Diet by bitter party strife, were also absolutely unanimous in their protest, but, like the Senate, they were refused even a hearing. All this time the emotion and anxiety of the people at large continued to grow in extent and in intensity, and messages were pouring in to Helsingfors asking for news and advice. Suddenly, and altogether independent of the political parties and party leaders, the idea sprang up of a personal appeal to the Tsar direct from the heart of the nation.

There was absolutely no organization in existence by which to collect the signatures of so many people distributed in their villages and farms over thousands of square miles of thinly-populated country, which was at that time of year deep in snow and ice. The towns could be reached by railway, but there were hundreds of remote villages and homesteads, as well as islands lying miles out in the frozen sea, that could only be reached by sledges or snow-shoes. For reasons connected with the activity of the Russian Secret Police,

then at work in the Grand Duchy, it was decided that the Post-Office could not be used for sending out copies of the address and collecting signatures, so volunteers were called for who would undertake to carry the message by word of mouth. A hundred were chosen, the address was drawn up, and over 500 copies made by hand—one for every parish in Finland—the idea being that they should be read in all the churches and signatures affixed on Sunday, March 5.

There were some extraordinary instances of enthusiasm and devotion. The village of Rovaniemi, on the Arctic Circle, had been fixed on as the extreme limit to which it would be possible to carry the address and return with signatures within the time assigned. But at Rovaniemi they protested against the exclusion of the people of Kittilä, their 'neighbouring' village, lying over 100 miles to the north across the trackless snow. There were still two days to spare; it might just be done, and the champion snow-shoe runner of the district volunteered to carry the precious paper. It was already evening, but he set out at once on his dark and lonely journey, pressed forward all through that night and half the next day, and reached Kittilä at noon. Here again runners set off for the outlying hamlets, and brought in a further band of signatories, before the messenger set out to return. Within ten days of the commencement of the movement over 500,000 signatures had been affixed to the address, and a delegate appointed from each parish to proceed to St. Petersburg and present it to the Tsar himself. This last development had not been thought of as part of the original scheme, and it caused some uneasiness to the Helsingfors committee. Five hundred men are

not a deputation, but a demonstration, and the St. Petersburg police do not encourage demonstrations. But the idea was attractive, and it was decided to risk it; so a special train was chartered, and the delegates had started off on their way to the Russian capital before General Bobrikoff, in spite of all his secret police, had the slightest idea of what was afoot. Then there was much excitement at the Government House, and much telegraphing to and from St. Petersburg. It was even said that the whole staff being helpless with confusion, General Bobrikoff sent his wife to the capital to urge the prompt capture and return of the 500 daring Finns. But nothing happened, and the delegates got back none the worse for their trip to St. Petersburg. They were not received—no one could have quite expected that—but the demonstration had its effect. The petition was in the following words:

‘Most Mighty and Most Gracious Emperor and Grand Duke:

‘Your Imperial Majesty’s Manifesto of February the 15th last has caused bewilderment and sorrow in every part of Finland.

‘The ancient right of the Finnish people to participate in the legislation through its representatives in the Diet was confirmed for all time to come by Alexander I., of blessed memory. This right was further developed and regulated during the reign of Alexander II. and that of Alexander III.

‘Nevertheless, the Fundamental Statutes issued, together with the Manifesto, prescribe that the Finnish Diet shall no longer possess the right guaranteed by Finland’s constitution to decide questions of legislation

which are declared also to touch the interests of the Empire. The very corner-stone of our social structure is thereby being displaced.

‘We, the undersigned Finnish citizens, of all classes of society, most respectfully entreat Your Imperial Majesty graciously to listen to our words, as we herewith lay at the foot of Your Throne the expressions of our deep concern about the fate threatening our fatherland, in case the stability of its Fundamental Laws is impaired.

‘Most Gracious Emperor! Under the sceptre of high-minded rulers, and protected by its laws, Finland has made uninterrupted progress in prosperity and culture. The people have faithfully endeavoured to fulfil all their duties to their Monarchs and to the Russian Empire. We know that our country has of late found enemies in Russia, who by means of calumnies have sought to create suspicion as to the loyalty and trustworthiness of the Finnish people. But we know also that all such calumnies are based on falsehood. No country exists where respect for law and legal authorities is more deeply rooted than in Finland. During the ninety years of its union with powerful Russia social order has never been disturbed in Finland, nor have subversive doctrines there found a congenial soil. Feelings of security and happiness have ever strengthened the ties by which Finland has become an inseparable part of the Russian Empire, although these ties have at the same time permitted the Finns to retain and to develop the national characteristics given them by the Almighty, and therefore not to be changed by any forcible measures.

‘We cannot believe that Your Imperial Majesty’s

intention with the Manifesto has been to threaten the legal order of things and the inner quietude of Finland. We trust, on the contrary, that Your Majesty will graciously consider the impression created by the Manifesto, and will direct that its contents be brought into conformity with Finland's Fundamental Laws. We refuse to entertain in our hearts any doubt of the immutability of the Imperial word, because it is our Gracious Monarch himself who has proclaimed to all mankind that Might should yield to Right. And a small nation's rights are equally sacred with those of the greatest people; its love of fatherland is before Almighty God a virtue it can never abandon.

‘Your Imperial Majesty's most faithful and respectful subjects.’

The State Secretary for Finland forwarded to the Tsar the request of the deputation for an audience, and in return received the following message :

‘Inform the members of this deputation of five hundred men that I, of course, will not receive them, although I am not vexed with them. They ought to return to their homes, and may then send in their petitions to their respective Governors, who, in their turn, will send them to the Governor-General, who will send them to you to be presented to me, in case attention can be paid to them. Explain to the deputation the meaning of the Manifesto of February 3/15, after which let it return home.’

When the State Secretary had delivered his message, and had endeavoured to soothe the feelings of the leaders of the delegates by some general assurances that the Tsar did not intend to violate the Finnish constitution, the delegate from Viborg replied in a

speech of much power, which, it is said, he had intended to address to the Tsar himself in case the delegates had been admitted. The speech was printed afterwards, and some of its phrases have since become household words in Finland, especially the following passage :

‘Your Excellency : We beseech you, having regard to the precious testimonies which His Majesty himself has borne as to how the Finnish people have faithfully served their rulers, and made good their confidence, thereby making their reigns sweet, and to the repeated assurances to the same end which we received from his august father and his deeply-mourned grandfather—we beseech you to ask him if he will, before Almighty God and the judgment of history, bear the responsibility of the moral ruin of a whole nation.

‘Tell him that we have been used to bearing up under severe destinies. The frost has times without number ravaged our sterile fields, and the farmer has in one night lost the fruits of a whole year’s heavy toil ; but we have humbly borne these trials, supporting one another and trusting in the future, for these ravages have always left some of us untouched ; but such a night-frost as that of February 15 the Finnish people have never known—with one stroke of the pen the dearest thing we possessed and hoped to deliver unimpaired, if not increased, to our children was destroyed that night. Here are none untouched—high and low, rich and poor, all of us, are alike struck by this visitation of fate.

‘Ask His Majesty if he is rich enough to throw away the devotion and love of such a people. Your Excellency has told us that His Majesty, through his

Manifesto, has reserved for himself personally to decide in every special case as to which questions shall be referred to Imperial legislation, and which to the home legislation of Finland. To this we reply that His Majesty's life, like our own, lies in the hands of the Most High. The love of millions could not protect the dear life of Alexander II. from a handful of miserable men and those who delivered him to them.'

There was much anger in official circles in St. Petersburg at proceedings so unprecedented in Russian politics. The members of the deputation went quietly to their homes, and the Governor-General, although making the most elaborate inquiries, could find no one to censure and no one to punish for a demonstration that disposed for ever of his contention that the country people would be glad to see direct Russian Government established in Finland. Only one of the delegates was he able to reach—the bold speaker whose words have been quoted. Mr. Wolff, of Viborg, held at the time the honorary appointment of British Vice-Consul at that port, and some months afterwards the Russian Government applied for and secured his dismissal on the ground of his taking part in political propaganda. Whereupon the other British Vice-Consuls throughout the Grand Duchy sent in their resignations on the ground that they did not desire to hold any office that would conflict with the free expression of their views as citizens of Finland at such a crisis.

CHAPTER XIII.

THE MILITARY QUESTION.

DURING all this time the two Committees of the Diet—the Military Service Committee and the Law Committee—were quietly engaged in Helsingfors in considering the new military proposals which had been presented in such irregular fashion to the Estates. The February Manifesto and the Statutes annexed were not directly before the Diet, but both Committees worked under the shadow of those documents, which, if upheld and carried out, rendered their labours altogether nugatory ; for if the Imperial Council at St. Petersburg was to have power to shape the scheme as it liked after the Diet had finished with it, the proceedings at Helsingfors were a waste of time. It was decided, however, that either to refuse to consider the military proposals on the ground of vice of form, or simply to reject them as unsuitable, would be to let slip a valuable opportunity of reiterating in the most formal fashion Finland's constitutional rights, and at the same time of proving the readiness of the Estates to make very considerable sacrifices in order to satisfy every reasonable requirement of the Russian War Office with regard to the strength and the efficiency

of the Finnish army. The two Committees, therefore, went very fully indeed into the constitutional and the legal aspects of the question, and, while rejecting the Russian War Office scheme, drafted a counter scheme of their own, which provides for a material strengthening of the Finnish army. These reports, on being received and approved by the Estates, were combined so as to form a complete answer, and in this form they were, on May 27, 1899, unanimously adopted as the 'Humble Reply of the Estates of Finland to His Imperial Majesty's Gracious Propositions' ('Finlands Ständers Underdåniga Svar i anledning af Hans Kejsrerliga Majestäts Nådiga Propositioner'). This important document must form the basis of future discussion on the subject, and may be regarded as Finland's 'Grand Remonstrance,' covering as it does the whole ground in dispute. It is a bulky report, occupying nearly 300 pages of close type, but a good understanding of its tenor and main arguments is essential to a knowledge of the case.

But in order to understand the references that are made to the Russian arguments in this reply, some account must first be given of Russia's position and claims with regard to the Finnish army, and of the Russian propositions laid before the Diet. We have already seen that in the early seventies General Miliutin had endeavoured to bring about a complete union of the armies of Russia and Finland, the Finns being called upon to 'perform military service equally with the other populations of the Empire, and amalgamate with them in forming one Russian army.' It is admitted that there was at the time ample room for improvement; indeed, a Finnish army can scarcely

be said to have existed in the sixties. The old Swedish *indelsta* system provided, no doubt, a number of men capable of carrying rifles, but nothing really resembling a modern army. Yet it was abundantly clear from the constitution of Alexander I. that conscription could not be introduced into Finland except with the consent of the Estates, and Alexander II. was wise enough to disregard the wishes of his War Minister, and, by meeting the Finlanders fairly on their own constitutional ground, to obtain from them all that was necessary at the time.

Once it became clear that a new system must be established if the Imperial Russian army was to hold its own in Europe, the question of reorganization in the Grand Duchy inevitably presented itself, and in the very first message on the subject addressed to Finland it is not difficult to discern the conflict of influence in St. Petersburg between a Tsar mindful of his constitutional position and a War Office intent only on recruits. On December 31, 1870, Alexander II. addressed a rescript to the Governor-General of Finland, in which he announced the approaching extension of military service to all classes in the empire, adding that he had decided that it was only reasonable to introduce a similar universal service into the Grand Duchy, in place of the *indelsta* system, 'with a due regard to existing law and ordinances in Finland.' The Governor-General (Count Adlerberg) was therefore directed promptly to take the necessary measures for the preliminary examination of the subject, 'as it was intended to form rifle battalions in proportion to the numbers and the population and the resources of the country.'

There can be little doubt that, although the constitutional reservation was made, the object aimed at in this rescript, from the military point of view, was the formation of battalions uniform in armament with and forming part of the same organization as the Russian army. Indeed, in further communications the Russian War Office expressed its wish, or rather intention, that the proposed Finnish army should be subjected to the general military district organization and the military tribunals of the empire, that it should accept Russian officers in its ranks, and should be liable to be stationed for service or training in any part of the empire where the necessity should arise. This was obviously, as Alexander at once recognised, a matter for the Diet, for without its consent the arrangement of 1809, by which Finland was exempted from conscription, and assured the right to keep her *indelta* troops within her own borders and under Finnish officers, could not be altered. It followed that, as we have seen, although General Miliutin's circular in favour of forming an amalgamated and undivided Russian army met with the Tsar's general approval in principle, all idea of enforcing such a measure by decree from St. Petersburg had to be abandoned, and the proper authorities in Finland set to work to elaborate a scheme for the Grand Duchy.

A Military Commission was accordingly appointed, and met at Helsingfors in 1871, with the idea of preparing a Military Service Bill for the Diet that was due in 1872. It was found, however, that there was at that time nothing for the Commission to work upon. The Finnish authorities recognised the necessity that existed for creating an efficient army, as well as for

keeping the new organization in touch with the Russian army and the Russian War Minister, under whose command, for purposes of armament and organization, it would be. But there was no Russian scheme ready, and consequently no model on which to form the new Finnish rifle battalions, and so, after agreeing on a few general principles, the Commission had to be adjourned indefinitely. The 1872 Diet thus passed without any Military Service Bill, and it was not till 1877, the intervals being then quinquennial, that the new scheme was put forward and, after long discussion, accepted by the Estates.

At the Russian War Ministry there was much fault-finding with the measure as adopted, and General Miliutin endeavoured to get the Emperor to alter it; but Alexander II. was true to his pledges, and refused to modify the measure, which was ultimately, in 1878, promulgated in a form that was in literal conformity with the resolutions of the Diet. And in this there was obvious statesmanship and wisdom. A nation of peaceful peasants is never very keen on military service, especially when their country is threatened with no danger present or remote, and the easy-going farmer-soldiers of the antiquated *indelta* system might easily have been regarded in the rural districts as quite sufficient for any work they were likely to be called upon to do. There were not wanting voices in the country and in the Diet to maintain this view, and if passions had been roused, sufficient opposition would probably have been created to resist a new proposal of compulsory general service altogether. Both parties had, therefore, good reason to be pleased with the result. Alexander II. had secured the free consent of the

Estates to the introduction of conscription into Finland, and the Grand Duchy had established, formally and irrefragably, the constitutional principle that any future Military Bill must be prepared and drafted in Finland by the Finnish authorities, and passed by the Diet ; and, further, that, if accepted by the Tsar and promulgated, it must be promulgated in the precise form in which it was approved by the Estates. The Russian War Office and the Imperial Council may advise the Emperor that it should not receive his sanction, but they cannot take up its consideration as an 'opinion' which they are at liberty to consider and amend before it is submitted for the Imperial signature.

It was thus that the Military Service Bill of December 27, 1878, whose amendment or supercession is now in question, came into being by the joint action of the Estates and the Emperor. The incidents connected with its passing are still a subject of bitter controversy in St. Petersburg, and two of the documents sent forward to the recent Diet from the War Office contained direct charges of bad faith against the Finnish authorities. The reply of the Estates to these charges will be found later on in the course of the general argument, but before proceeding to that we must see what is the nature of the measure, and what are the Russian objections to it.

It is provided that the Finnish army shall be organized on the basis of universal military service ; that its object shall be the defence of Finland ; and that it shall be composed exclusively of Finnish citizens. The time of service was to be three years with the active army and two with the reserves. As,

however, the number required to be kept with the colours under the Russian War Office proposal was less than that of the available conscripts, it was decided that those who were fortunate in the ballot should pass direct into the reserves, where they were to serve for five years, with ninety days' military training in camp during the first three years. After passing through the reserves, all the conscripts pass into the *landwehr* (*landtvärnet*) till the age of forty. The number of men with the colours was fixed at 5,000, composed of nine battalions of rifles, and later on a regiment of dragoons. The Governor-General was to have the supreme command, and was provided with a staff; there was also to be a Finnish chief, with a separate staff. In matters of 'command,' the army was to be under the direction of the Russian Minister of War, who was for the purpose to have the assistance of a Finnish officer as reporter and secretary; but the general maintenance of the army, the commissariat, cadet schools, barracks, etc., were placed under the direction of the military section of the Finnish Senate, and on such matters, as well as on all questions involving legislation, the Minister-Secretary of State for Finland was to report to the Emperor direct.

The new arrangements were intended to be operative for a period of ten years, after which they would be subject to revision; and accordingly more than one alteration was made during the reign of Alexander III., the proper legal and constitutional forms being always observed, in spite of the attempts of the Russian War Office to incite the Tsar to the contrary, and to abolish once for all what was an offence to them—'a separate army within the borders of the empire.'

Unity in the military law, applying to all who owed allegiance to the Emperor, and uniformity in the organization of the army were their constant aim—indeed, mechanical unity and uniformity are now the Russian aim in Church and State, as well as in the army—and every effort was made in that direction. Another Commission—a Russian one this time—sat to discuss the question, and gravely reported that it found in the Finnish system ‘many peculiarities which, from the standpoint of special military demands, and of the general political interests of the empire, were not admissible, being called for neither by the existing local geographical peculiarities, nor by the historical conditions of the Grand Duchy.’ It was regarded as one objection in Russia that the Finnish military law differed in several respects from the general military law of the empire, thus constituting ‘a hindrance to the completest possible uniformity in the organization of the armed strength of Russia.’ These divergences, it was held, should, in the majority of cases, be either completely abolished or sensibly modified.

But the worst offence of all lay in the fact that Alexander II. had consented to clothe certain important clauses of the law with all the sanctity of a Fundamental Law of Finland. An attempt was even made, and was repeated in the present year, to represent this as a Finnish trick, General Kuropatkin making a special report on the subject to the Emperor, which report was forwarded to the Finnish Diet. The charge was easily disposed of by the Estates; and, as a matter of fact, the whole circumstance was from the Russian point of view altogether destitute of importance. The object of the Russian War Office through-

out has been to remove the Finnish military organization from the field of Finnish legislation, and to bring it within the scope of an Imperial decree. The only effect of making this statute, or part of it, a Fundamental Law, is to render necessary an Imperial proposition, and a united vote of the four Orders for its modification. If both those conditions were gone to-morrow, the Russian War Office would not have advanced one step towards the realization of its ambition, for the law of 1878 would still remain indisputably a law—no Russian has ventured to deny that—and as a law it would be altered only with the consent of the Diet. But the Russian controversialist takes an almost Teutonic delight in a prolonged and embittered wrangle over an irrelevant point.

The Russian case on this point is that the measure was presented to the Estates as an ordinary project of law, and not as a fundamental statute. It was during the discussion of the project that the proposal was made, and agreed to, that fourteen clauses of the Act should be declared fundamental, and it was decided to request the Senate to petition the Emperor to that effect. The Diet was, of course, aware that it had no power whatever to introduce legislation, fundamental or otherwise ; even the power it has since acquired of introducing ordinary projects of law was not then possessed by it. But it did not claim to exercise any such right. Its obvious position was that, a proposition being submitted to it in proper and legal fashion, it had the right to propose any alterations or modifications in that proposition, and those alterations or modifications, being accepted by the Emperor, became an essential part of the Act when sanctioned or pro-

mulgated. If the Russian contention held good, no ordinary amendment to any Imperial proposition could at that time have been carried, for the Diet had no power to initiate legislation, and to insert some vital amendment is, in part, to initiate a law. Indeed, in another of his communications, General Kuropatkin is betrayed into this very crowning mistake when, as will be seen, he points out as a serious matter, and one tending to invalidate the law, that a certain clause as passed by the Diet, and sanctioned by the Emperor, differs somewhat in its wording from the same clause as it was originally submitted to the Diet. One can hardly complain that Russian officers should be entirely ignorant of the meaning of Parliamentary procedure ; it is not their business. But there might surely be somebody found amongst the officials who could protect a Secretary of State from falling into such a grotesque blunder.

It was, of course, open to the Emperor to take objection to the procedure of the Diet in petitioning him, after a proposition had been formally made, to alter the nature of certain portions of that proposition, and transfer them from the category of ordinary to that of fundamental law ; but when the petition was granted, it was surely open to the Tsar to regard that as quite sufficient, without the waste of time involved in dropping the fourteen clauses out of the 'ordinary' Military Service Bill, and going once more through the formality of ordering the Secretary of State for Finland to direct the Senate to prepare a fresh series of fundamental propositions involving the fourteen clauses in question. In any case, it is a little late, after a law has been over twenty years in opera-

tion, to raise the point that the Tsar acted irregularly in affixing his signature to it.

The points declared to be fundamental related principally to such matters as the definition of the object of the maintenance of a Finnish armed force, its numerical strength, the principle of the choice by ballot, the period of service, the plan of mobilization, and the arrangements for the *landwehr*. Above all, the proposition that Finnish soldiers should not be placed under Russian officers was made fundamental, and that is resented more than all the rest ; and the portentous argument is adduced that, because these things all touch on military efficiency and discipline, they therefore come within the scope of the Ministry of War, and as obviously no Russian Minister of War could have assented to such things, therefore that Ministry may now comment upon them and alter them at will. Finally, it is advanced as another argument for invalidity, that 'Count Miliutin was induced to believe that the law was only introduced experimentally, and for a period of ten years, and that in case of need the necessary alterations in the details or in the wording of the statute could be easily effected.' It is to be feared that Ministers have been known, and not alone in Russia, to make use of such arguments in order to facilitate the passing of their schemes ; but surely this is the first occasion on which that has been brought forward as an argument for declaring the law invalid.

Another vexed point was that of the command of the Finnish troops. Formerly, when there were chiefly Russian soldiers in garrison in Finland, the Finnish army having shrunk to a single battalion in

Helsingfors, the command of the Finnish soldiers devolved on the commanders of the Russian troops 'dislocated' in Sveaborg and other fortresses in Finland. But when a real Finnish army was to be created, it was pointed out, very naturally, that the command of such a body of troops, being an Imperial matter, should devolve on the Governor-General as the Emperor's direct representative. But the War Office discovered that in the working of this very reasonable arrangement it resulted that matters pertaining to the economy and the administration of the Finnish army were reported on by the Governor-General in the usual course, through the office of the Minister-Secretary of State for Finland, to the detriment of the dignity of the Minister of War. Not only so, but the Finnish Senate—a 'civil' institution, and therefore beneath the notice of the War Ministry—had actually created a military section to look after such matters concerning the Finnish army as pertained to it. This the Russian Commission regarded as contrary to discipline and as constituting one of the 'objectionable peculiarities' that should be done away with.

Another objectionable peculiarity of the Finnish Military Service Law in the eyes of the Russian officers was that it was designed and maintained exclusively for the defence of Finland, and that the *landwehr* could only be called out in case of an actual invasion of the Grand Duchy. Also, from its smallness, the demand on Finland in men and money was naturally much less in proportion than that made on Russia for its army. Of Russians arriving at the age of military service it was calculated that 36 per cent.

were summoned to the colours, whilst of Finlanders of corresponding age only 9·6 per cent. were called on. Again, whilst of Russia's total budget 28 per cent. went in military expenditure, Finland only spent 16 per cent. The Russian army cost 2 roubles and 83 kopeks per head of the population, whilst the Finlanders only spent 1 rouble and 35 kopeks. It is interesting to notice, from this carefully-worked-out official estimate, that expenditure on the navy in Russia has gone up by no less an amount than 12,000,000 roubles since 1895, the army in the same period having increased its demands on the public purse by 16,000,000. The total Russian expenditure on armaments in 1898 is given at 375,244,208 roubles, whilst Finland spends less than 4,000,000 roubles.

The unpractical reader might conclude from these tremendous figures that the Tsar's Ministers would hasten to point the moral, and would yield to the unanswerable force of the Peace Manifesto which had appeared only a few weeks before. If by these enormous armaments 'the intellectual and physical strength of the nation are diverted from their natural application and unproductively consumed,' whilst 'national culture, economic progress, and the production of wealth are paralyzed or checked in their development,' and 'the financial changes following the upward march strike at public prosperity at its very source,' then surely the obvious remedy was to make some practical effort to protect and restore public prosperity thus struck at and to reduce the Russian armaments. If the Russians spent per head on their army only what the Finlanders spend, 15,000,000 or

16,000,000 sterling per year would at once be released to develop the intellectual and physical resources of the nation. But instead of that they insist that Finland too shall be made to paralyze her national culture and economic progress by being dragged against her will into the 'upward march.'

The Russian Army Commission report, and the Imperial propositions to the Diet based on that report, declare that the annual contingent of young Finlanders called to serve in the army shall be increased from the present figure of 9.6 per cent. to the Russian figure of 36 per cent., or nearly quadrupled, whilst the expenditure would be doubled—a paralyzing 'upward march' which might have appalled even General Kuropatkin. It would have been little wonder that even without the teachings of the Peace Manifesto the Finlanders should shrink back from the prospect.

One more proposal was put before the Estates, or rather, a decision of the Tsar was brought to their notice—that relating to the military oath. The dominant party in Russia are, as is well known, as clerical as they are military. Unity and uniformity in religious belief and practice is a thing as earnestly to be aimed at as unity and uniformity in the army. The question of the military oath gives them an opportunity on a small scale of combining their ideals. In the Military Service Law of 1878 no form of oath was distinctly laid down, the authorities being simply referred back to the form used in Sweden and given in sec. 18 of the Form of Government of 1772. By that formula soldiers swore to be true 'to the King, to the State, and to the Estates of the realm.' It appears, however, that for some reason this form never came into use,

Finnish soldiers taking simply the oath required of Civil servants. This was felt to be an inadequate form of allegiance for soldiers, and in the 1891 Diet a wish had been expressed for the drawing up of some more expressive form, pledging the men to 'Monarch and Fatherland.'

This is how the matter stood when, towards the end of January, 1899, it was announced that the Tsar, on the proposal of the War Minister, had decided that 'The oath which is laid down by law for the whole Russian army must also for a portion thereof—the Finnish troops—be obligatory.' This order, which was quite illegal in form, gave rise to still more serious objections. In the Russian oath Finland is naturally ignored; even the Tsar's sub-title as ruler of the Grand Duchy is omitted, and the troops would have to swear allegiance and obedience not to their constitutional Sovereign, the Grand Duke of Finland, but to the Autocrat of All the Russias; whilst the oath winds up with the words: 'In attestation of this my oath, I kiss the Word and the Cross of my Redeemer,' a formula which would be as disturbing to the conscientious beliefs and religious practices of a Finnish Lutheran as to those of a Scotch Presbyterian. It is true that an explanation was issued by the War Minister to the effect that each soldier would be allowed to take the oath 'according to his faith and rite,' and that Lutheran chaplains would take the oath of the Finnish soldiers and would naturally not require the kissing of the cross. This might be accepted as satisfactory in Finland itself, but one can scarcely imagine a Russian War Minister providing Lutheran chaplains to look after the oath-taking of the 5,000

Finlanders drafted every year into Russian battalions. Everything would depend on the administration of the new order, and although trifling in itself, it did much to widen the fear and suspicion felt throughout Finland regarding the intentions of the Russian War Office.

CHAPTER XIV.

THE REPLY TO THE TSAR.

SUCH being the Russian view of the military service question, we are now in a position to follow the line taken by the Diet in its 'humble reply' to the Tsar's proposals. The documents submitted to the Estates, and by them passed on to the two Committees for report, were five in all :

An Imperial proposition for a Military Service Law for the Grand Duchy of Finland ;

A scheme for the organization and administration of the Finnish army ;

Two communications from the Russian Minister of War concerning the circumstances under which the Military Service Law of 1878 was passed ; and

A proposal for a new form of oath for the Finnish army.

As all these documents related to the same subject, they were considered together by the Committees, and at the outset of their reply attention was directed to the irregularity of form by which for the first time in the case of a proposed law the Diet is asked

simply for its opinion on propositions to be submitted afterwards to a Russian authority for revision before receiving the Tsar's sanction. It is pointed out as self-evident that the authority by which the Estates are now called upon to join in the preparation of a Military Service Law depends exclusively on the provisions of the Fundamental Laws of the country ; and what those laws were, and their bearing on the subject, had been definitely settled in the case of the Military Service Law of 1878. When that law was to be introduced, it is clear from the official documents connected with it that there was not a thought of such a possibility as the issuing, without the consent of the Estates, of a law involving important alterations both in the Fundamental Laws and in the General Law of the land. That law was sanctioned by the Emperor and Grand Duke, in literal conformity with the law passed by the Estates, after having considered the gracious proposition to that effect. It follows that in proposing any alteration of that law, a similar procedure must be adopted. That this is so has been acknowledged on each of the occasions when it was found necessary even slightly to modify or amend that law. Still more is it necessary to observe constitutional procedure at a juncture when it is proposed to alter the law so completely that it would virtually become a new statute essentially differing in many respects from that of 1878. The Estates, therefore, decline simply to report their 'opinion' on a proposition of such importance.

The Diet was, however, quite willing to consider in proper constitutional form the important question raised in the proposed law—namely, whether Finland's

present military contribution can be regarded as corresponding to the demands that may justly be made of her for the defence of the common interests of the Russian Empire. Finland has never been backward in this respect. When in 1877 Alexander II., in proposing the adoption of the principle of general obligatory military service, asked simply for an army of 5,000 men on a peace footing, the Estates went further, and introduced into the measure the stipulation for ninety days' military training for all those who by the fortune of the ballot were not called upon to serve with the colours, but passed direct into the reserves. It is admitted, however, that even with this training, the reserve, as at present organized, although very numerous, is not, properly speaking, efficient or fit to take its place with regular troops if called out for that purpose. And if this militia-like body is left out of consideration, the military forces maintained by Finland in times of peace are relatively not in proportion to the army maintained by the empire, and the same applies to the contingent that would be forthcoming in time of war. The Diet agrees, therefore, that it is a correct and natural thing to desire to bring the share of the burden of defence that falls on the Finnish people into greater conformity with that which falls on the Russian people. There should, therefore, be carried through gradually such a considerable increase of the Finnish forces as will bring about something resembling equality alike in the political and the financial burden between Finland and Russia.

It is also obviously desirable, in order to insure the necessary co-operation with Russian forces during military operations, that no appreciable difference

should exist between the two armies with respect to military instruction and organization. As a matter of fact, however, the exigencies of uniformity in this respect are already admitted. The circumstance that the Minister of War for Russia has command, in all purely military matters, of the Finnish army is a sufficient guarantee that the unity required in the management of the military affairs of the whole empire will be observed ; but if in the course of the revision of the law it should appear that any matters not now coming within *ressort* of the Minister of War could be better dealt with in that way, the necessary modification can be made in the new statute.

As regards the Russian proposal to extend the time of active service from three years to five, this does not seem necessary, since the time at present spent with the colours has proved to be sufficient to impart to the Finnish troops the proper training. To fix a prolonged term of service, besides being unnecessary, would in many respects have serious economic consequences for the country. The reorganization of the reserves is, however, another matter. It is clear that the present conditions of service do not insure so efficient a reserve as does the Russian system, and the Estates accordingly regard it as a necessary reform that the reserve should be reorganized and placed on a basis corresponding to that in force in the empire ; that is to say, that the reserve should consist, as in Russia, only of troops who have served in the active army, and, further, that it should be so graded that a sufficient number of trained soldiers of proper age would be at the disposal of the authorities in case the Finnish army were to be called on to take part in

a great campaign outside the frontiers of its own country.

This latter is a point on which there has been some misunderstanding. The Finnish Diet has never laid it down as a principle that under no circumstances should Finnish troops be employed out of Finland, although their primary object naturally has been the defence of the Grand Duchy. When general military service was first introduced into a country where for centuries military service had been based on voluntary enlistment, it was natural that both the Emperor and the Estates should wish to make the burden as light as possible at first, and confine the task of the new conscript army in such a way as would insure that the new order of things should be sustained by public opinion. But since the law, after having been in operation for twenty years, is now the object of revision, the Diet recognise the obligations of Finland in regard to the defence of the whole empire.

Even in Russia, where universal service was introduced in 1874, it was found necessary to take into consideration the social conditions existing in different parts of the country, and to accommodate this system to the circumstances with which it came into contact, and various separate statutes were issued applying only to certain territories. The same principle was followed some years later in preparing the present military service law for Finland. The Russian model was followed in all cases where that could be done with advantage, but there was no hesitation in making the Finnish law in several respects different from the Russian when this was considered necessary to efficiency. It would be giving up the results of all

this experience if they were now to make the Finnish Military Service Law a mere copy of the law existing in Russia. The two systems now correspond in so far that they are both adapted to the real conditions of life to which they apply. To create at this period identical laws to apply in conditions that are so widely different would be to bring about a mechanical uniformity that would really injure and set back the interests of military efficiency in Finland, and therefore be injurious to the empire. Partial alterations of the law of 1878 have been made as experience indicated their necessity, and, as has been already said, further modifications are now desirable, but such alterations should be confined to such portions of the law as are really in need of amendment. To upset provisions of the law that have worked satisfactorily and are based on sound and well-tried principles would not in the opinion of the Estates be a rational mode of proceeding.

How widely the aims and methods that prevailed in the elaboration of the propositions for a new law now placed before the Diet vary from the principles just laid down will be clear from the terms of those propositions and of the papers accompanying them. These proposals, for instance, make no distinction between those portions of the law of 1878, which are essentially constitutional, and whose validity and importance must be maintained whatever military modifications may be introduced, and those others which, although declared fundamental, refer exclusively to the conscription and the general organization of the army, and would naturally come up for reconsideration. The proposals delivered to the Estates do not, how-

ever, confine themselves simply to the alteration of the military provisions of the law : they aim at the total repeal of the clauses containing constitutional guarantees. In addition to that, new regulations are proposed which, on account partly of their form, and partly of their tendency, are incompatible with the legal position of the Grand Duchy. Occasion is taken in bringing forward these proposals to attack or to dispute, sometimes in an offensive way, the rights that have since the year 1809 been solemnly guaranteed to the Finnish people by the sovereigns of Russia.

In the carrying out of these tendencies several proposals are made whose object is to bring about a forced uniformity between the Finnish and the Russian military system. Thus the Finnish forces may be transported even in time of peace to any part of Russia ; natives of Russia may be conscripted for service in the Finnish army ; Russians may serve as officers in the Finnish army ; the affairs of the Finnish army, even the financial administration, is to be managed by Russian district military authorities, and so forth. Just and reasonable principles are thus made to yield to the new political tendencies. The clearest proof of this is afforded by the fact that it is proposed that in the future the abridgment of the period of service on the ground of superior education shall be granted only on the presentation of a certificate of knowledge of Russian. Thus, military service is to be used as a means of forcing on Finland a knowledge of the Russian language, and young men of education would be placed in a more unfavourable position in Finland than in the empire.

The Estates have no wish to depreciate the value

of a knowledge of Russian. It is agreed that for the Finnish military staff, for example, and for the holders of certain administrative positions it is indispensable. But it is impossible altogether to disregard the fact that the inhabitants of Finland and of Russia belong to entirely different races. The mass of the people, whether Finnish-speaking or Swedish-speaking, are not likely to learn any other language than their mother tongue. For those who devote themselves to public affairs or move in some more extensive field of work, a knowledge of both languages is absolutely necessary. To add to these, in addition to the ordinary courses of study, a compulsory knowledge of the Russian language for every one who wishes to secure exemption from a portion of the term of military service, would be to create a feeling of injustice, and to make military service unpopular throughout the country. Military service is not a matter of choice: it is a duty imposed upon every citizen; and the Finnish people would certainly regard the new proposals as a violent attempt to interfere with and alter the national language and the national character.

Attention is also directed to the use that is frequently made in the explanations issued by the Russian General staff of the words 'fatherland' and 'patriotism.' The opinion indicated is that the Finns are simply a number of Russian subjects settled in certain Russian provinces forming one of the borderlands of the empire. Finland is their native place, but the Russian Empire is their fatherland, and the same mode of thinking is also reflected in Clause I. of the proposed Military Service Law. Patriotism, however, has at all times had its definition fixed by

natural and historical circumstances which cannot be altered by any peremptory measures, and in consequence of those circumstances, Finland is the fatherland of the Finns, but since Finland is inseparably united with the Russian empire, and forms with it an international unit, the duty of defending the fatherland can never be performed by the people of Finland, otherwise than by a participation in the defence of the whole empire, whether the fighting takes place within the borders of Finland or beyond them. At the same time, Finland's modest contribution to the defence of monarch and empire will be not less effective when, as heretofore, it remains a constituent part of the institutions of its own country, and is not forcibly and contrary to existing rights amalgamated with the Russian army.

The existing Military Service Law was drawn up in strict conformity with the well-established Finnish system of legislation. It formed a complete code dealing with such matters relating to the army as can only be legislated upon by the united decision of the monarch and the Estates. But it did not comprehend matters on which the monarch has the right of legislating independent of the Diet by means of the so-called administrative ordinances. It is by such ordinances that the whole of the arrangements necessary for the carrying out in detail of the military law are effected. This bi-lateral system, which safeguards the privileges of the nation whilst leaving to the governing power the liberty of action necessary for the development of administrative requirements, has also been ignored in the preparation of the proposed law, in which matters of detail proper to be dealt with

administratively are embodied along with legislation such as should be embodied in a law passed by the Diet. Consequently, if the whole of this law were to be accepted by the Estates and sanctioned by the Emperor, not a single paragraph in it could be altered in future without the consent of the Estates, thus actually restricting in many respects His Majesty's present power of legislating by ordinance. On the other hand, it would be a flagrant violation of the Fundamental Laws of Finland if, because the proposed new law contained certain administrative details, it were to be treated as a matter that could be decided without the co-operation of the Estates.

The second proposal—that for the organization and administration of the army—suffers from the same faults as those pointed out in the proposed Military Service Law. The greater part of it is composed, it is true, of administrative regulations, but it contains, in addition, several stipulations which are in opposition either to the existing military law or to the General Fundamental Laws of Finland, and which therefore cannot be issued by such an administrative act as that which seems to be proposed. Objectionable in the highest degree, moreover, is the practice which recurs several times in this proposal, of referring in an ordinance intended to become valid in Finland to Russian laws which have no validity whatever in the Grand Duchy.

In consideration of all these things the Estates unanimously resolve :

‘That these proposals do not simply aim at a reform of the military system of Finland, but involve

political aims the realization of which would gravely infringe upon Finland's constitutional position, and would entail the most ruinous consequences for the country and for its future development.

‘That the alterations insisted upon in the proposals are not justified by the obligations that are incumbent upon Finland in virtue of its position in the Russian Empire, and that legitimate claims can be satisfied without such alterations so much the more easily since there already exists in principle a uniformity between the Finnish and the Russian armies in all matters that are important from a military point of view.

‘That the proposals lack that regard for and adherence to existing law which is essential if the new law is to be built on a sure foundation ; besides which, the object in view, the establishment of uniformity with Russian law, has excluded all consideration for the differences that exist both in national and social respects between Finland and Russia.

‘That the proposals do not pay regard to the existing forms for legislation in Finland, nor to the system according to which laws and administrative ordinances must be distinguished from each other.

‘That therefore it is not possible for the Estates, as the representatives of the Finnish nation, to accept these proposals.’

The Diet did not, however, think it right simply to negative the Imperial proposals in a matter in which it was admitted that reform was necessary ; and in order to render possible the carrying out of these reforms, the Estates proceeded to examine the existing law clause by clause, inserting such amendments

as seemed best calculated, whilst paying due observance to the Fundamental Laws of Finland, to carry out His Majesty's wishes, and to bring about such development in the conscription system as would correspond to the altered circumstances. The Diet, in fact, rejected the proposal made on the basis of the claims of the Russian War Office, and substituted a counter-proposal of its own.

The first clause is so worded as to make it clear that every citizen of Finland is liable to compulsory military service 'for the defence of the throne, the fatherland, and the Russian Empire,' instead of, as formerly, simply for the defence of the throne and the fatherland. The Russian proposal had been to leave out 'fatherland' altogether, and insert 'Russian Empire' in its place; but even General Kuropatkin can hardly object to the mention of his own country among the objects of the Finlander's guardianship. It is proposed also to do away with the last remnants of the old *indelta* system, now quite useless, and land-owners are expressly freed from all future obligations in that direction.

In future the army is to consist, like that of the empire, of two classes, standing army and *landwehr*, the standing army being composed of active army and reserves. A Finnish subject is to do duty only in the Finnish army. This has been the law ever since Finland was joined to Russia, and the Estates adhere to it; it is fundamental, and any alteration of it would involve a severe encroachment on the secured rights of Finnish subjects. The legal and constitutional grounds on which the Finnish contention rests are incontestable, and it is argued further that on grounds of military

efficiency any change would be for the worse. Finnish lads placed compulsorily in a Russian regiment would find themselves in strange surroundings; they would not understand the language of either their officers or their comrades. The necessary difference in customs, temperament, and ideas would also contribute to make the young Finns, even if they were kindly treated, feel like strangers. Through no fault of their own, they would necessarily, for these reasons, try the patience of their officers by being slow to understand explanations and orders at drill or in barracks. The result would be backwardness, reproof, punishment, and their situation would soon become unbearable. Their education in civil and religious duties, which is made a feature of in the Finnish army, would naturally be at an end when the recruits were placed among men differing from them in tongue and in religion.

The Estates lay emphasis on these points, because it is known that a committee, appointed by the Russian General Staff, has been charged with preparing a proposal for the placing of Finnish conscripts in Russian regiments. They have probably not taken into consideration the actual facts, or the important circumstances put forward by the Estates, nor are they cognisant of the strength of national feeling in Finland. It is not by slighting such feelings or ignoring such considerations that the empire will get the most benefit out of the Finnish conscripts. It is also pointed out that emigration has shown an extraordinary increase during the past few months, in spite of a generally prosperous year, and inquiries have shown that this increased emigration has chiefly been caused by the

misgivings that have been awakened by the mere rumours that Finnish conscripts would have to serve in the Russian army. For all these reasons the Estates consider that in the interest of their military efficiency, as well as of their own welfare, the new law should contain an explicit statement to the effect that Finnish citizens shall serve only with Finnish troops, and they have accordingly inserted a sub-section to that effect.

As regards the proposal to extend the time of active service from three to five years, the Estates point out that in France, Germany, Austria, Italy, and other European countries the time of service with the colours is from two to three years, and that there seems no reason for extending it in Finland, especially as a conscript can be made completely efficient in the shorter time. Still less necessary is the proposal to extend the time of service in the reserves to 'not less than thirteen years,' making a total of eighteen years with the standing army. The counter-proposal is that the total service should be ten years, three with the active army and seven in the reserves, the present reserve composed of men who have not passed through the active army being abolished. At present the army on a peace footing amounts to 5,821 men (220 volunteers included), and on a war footing to 15,088, of whom 3,486 form the depot troops. The number of men thus required to join in order to bring up the peace footing to a war footing is 9,267. The duty of a reserve is to supply this number, to fill vacancies in the ranks, and eventually to form reserve battalions. Making allowance for wastage of various sorts, it is calculated that seven classes of reserves, representing

the seven years of service, would supply all that is required.

After serving his time in the standing army (active and reserve), the soldier passes into the *landwehr*. The Diet proposes to make such alterations in the *landwehr* as are necessary to fit in with the alterations in the reserve system. Those conscripts who, owing to the fortunes of the ballot, have not been called on to serve in the active army, will immediately be transferred to the *landwehr* instead of to the reserves, as provided by the present law.

At present men are included in the *landwehr* till the age of forty. The Russian proposal would extend this period to forty-three years. As there seems no reason why men in Finland should be discharged from their duty three years sooner than in Russia, the Diet accepts this extension.

The question of the extent of the service to be required of *landwehr* men is also raised. It has been objected in Russia that at present the *landwehr* may be called out only in case of a hostile invasion of the country. The objection is reasonable, as it is obvious that in some cases at least the summoning of the *landwehr* would then be too late, especially in the case of men who would require a considerable amount of training to fit them for service. The Diet accepts the proposition in accordance with which the clause would be worded so as to read that the *landwehr* may be called out only on extraordinary occasions and in time of actual war. If in case of war the reserve should prove insufficient for filling up the ranks in active service, the younger classes of the *landwehr* may be called on to make good the deficiency.

A considerable space in the Diet's reply is occupied with a discussion of the command of the Finnish army. It is in connection with the wording of the section governing this matter in the Act of 1878 that the War Minister makes his extraordinary charge against the Finnish Diet in his Memorandum of January 15/24, 1899. The discovery made by General Kuropatkin is that the clause as enacted 'has not the same wording as that which His Imperial Majesty Alexander II. had himself given to the said article, when a proposal for a "gracious proposition" concerning the institution of compulsory service in Finland was submitted to the consideration of the Emperor.' The statement is quite true; the only wonder is that the Russian War Minister, at the very moment when most of all he wishes to deny the right of the Finnish Estates to legislate with regard to the army, should himself have been so misguided as to direct attention to an incident clearly proving that the Estates possess that very right, and exercised it with the consent of the Emperor at the time of the passing of the last Military Service Act.

The facts are very simple and are all on record. The original proposition was worded as follows: 'The Governor-General of the Grand Duchy of Finland, commanding the troops in the Finnish Military District, is at the same time Commander of the Finnish troops.' As altered by the Estates and sanctioned by the Emperor, the clause runs: 'The Governor-General of the Grand Duchy of Finland, who likewise commands the Russian troops which may be stationed in the country, is Commander of the Finnish army.' The motive of the change is obvious. The Finlanders,

jealous of any attempt to attenuate their position as a self-governing Grand Duchy into that of either a civil province or a military district of the Russian Empire, altered 'troops in the Finnish Military District' (*trupperna i Finländska militärdistriktet*) into 'Russian troops which may be stationed in the country' (*ryska trupper, som kunna vara i landet förlagda*), and for 'Finnish troops' (*finska trupperna*) substituted 'Finnish army' (*finska armén*). There was nothing underhand or evasive about the matter; it was done in the usual constitutional form recognised by law and invariably practised. The Emperor, through the Senate, made his 'gracious propositions,' and the Estates drew up and forwarded their 'humble reply'; and in that reply they pointed out, as usual, the alterations they had made in the proposition, and stated their reasons.

'The Estates,' they said in 1877, 'accept the principle laid down in Section 127 (119), to the effect that the command of the Finnish troops pertains to the Governor-General, but they find it necessary to alter the wording of this part of the paragraph. For this alteration it is not necessary to give any further reasons than that the term "Finnish Military District," which can scarcely be allowed in a Finnish law, refers to an existing military distribution in countries subject to Your Majesty's sceptre, the alteration or annulling of which cannot be dependent on this Military Service Law.' This is neatly put, and no doubt the Russian military authorities duly appreciated the zeal of the Finnish Diet for the integrity of the Imperial prerogative; but there need be little doubt that the real objection was to the use in a Finnish statute of the

phrase 'Finnish Military District.' General Kuropatkin, who knew nothing of the 'humble reply,' or of Parliamentary procedure of any sort, and imagines that he has discovered another Finnish forgery, like those alleged by M. Ordin, points out this divergence between the draft and the law, and argues that if the Estates wanted any change made, they ought to have petitioned for an alteration of the wording, alleging that they had acted 'contrary to the natural mode of procedure' in altering it for themselves. The Estates have no difficulty in pointing out that, according to the Fundamental Laws, they have always possessed the right not only to accept or to reject a proposition for a new law submitted to them, but also to declare their acceptance, subject to an alteration in the wording approved by them, and that it then depends on the Monarch either to assent to the change or to let the proposition lapse.

The War Minister further objects that, whereas the amendment pretends to be merely an alteration in wording, it is really fundamental, because it concerns the authority of the Minister of War, and that the alteration was not brought to the notice of General Miliutin, the then Minister of War, as it ought to have been. If this were true, it might be held to imply a censure on General Miliutin's secretaries of twenty years ago for not keeping their chief posted in what was going on, but it is surely hard to hold the Finnish Diet responsible. As a matter of fact, the whole story is an invention. The records show that General Miliutin applied for and received from the office of the Secretary of State for Finland a copy of the original proposal, for the express purpose of comparing it with

the law as adopted, and that he made no objection. The question was raised and settled in 1877-78, in full legal and constitutional form, and should now be allowed to rest. The Diet, therefore, regret to observe that in the present proposed law the words 'Finnish Military District' are again introduced, and that in Article 10 of the proposed ordinances it is stated that 'the highest local administration of the Finnish troops, authorities, establishments, and institutions rests with the Commander-in-Chief of the Finnish Military District. When the duties of the Finnish Military District are entrusted to the Governor-General of Finland the highest local administration of those troops, authorities, establishments, and institutions also devolves upon him.' The Diet cannot assent to such an article, and proposes that the clause shall simply run : 'The Governor-General of Finland is Commander-in-Chief of the Finnish troops, unless the Emperor and Grand Duke shall appoint some other person to the office.'

It is clear from this and other proposals that part of the object of the proposals of the Russian General Staff is to abolish altogether the present institutions of the Finnish military system. At present, the Finnish army is under the Governor-General, and a Finnish commander with a Finnish staff, medical administration, comptroller, and so forth ; but if a single Russian officer in his capacity of 'Commander-in-Chief of the Finnish Military District' were placed in control of 'the highest local administration of the Finnish troops, authorities, establishments, and institutions,' there would soon be an end of all that, in spite of the clear provision of the law of 1878, which enacted, in the

very words proposed by the Emperor Alexander II. himself, that 'the officers as well as the civil officials of the Finnish army shall consist of Finnish citizens' (*skola utgöras af finska medborgare*). This clause, carrying out as it does the guarantees given by Alexander I. at Borgå in 1809, is the basis on which the whole military administration of Finland was organized. It is one of the clauses expressly declared to be fundamental, and to attempt to alter it by ordinance would be a flagrant violation of the constitution.

The Diet claims no right, and has never done so, to take part in deciding the way in which the Finnish military organization is to be carried on, except so far as is permitted by the Military Service Law itself; but in view of the attempts that are being made to change the character of the Finnish army, they make a formal declaration to the effect that 'the Estates, as representatives of the Finnish people, consider it their duty to adhere to the country's right to its own peculiar administration as based on its constitution, and therefore they cannot consent to any alteration of sec. 120 of the Military Service Law, or of the consequent principle that the authorities established for the military, sanitary, and economic administration of the Finnish army cannot be incorporated with or subordinated to the authorities of the Russian Military District command, or otherwise altered in such a manner that they should cease to be Finnish authorities, subject to Finnish laws.'

Similarly strenuous objection is offered to the proposal that Russian officers may receive commissions in the Finnish army. The proposed article provides that 'the body of officers attached to these troops shall be

completed by persons born in the Finnish provinces (*finska länen*) as well as in other parts of the empire.' This wording, which ignores the very existence of the Grand Duchy of Finland, together with the explanations attached to the scheme, affords another proof of the political tendencies by which the War Office Committee charged with preparing the Government proposals was inspired. The Diet does not wish to follow up the controversy as to the various inaccuracies in fact and in law involved in the 'explanations' forwarded by the Committee of the Russian General Staff, but it cannot help expressing its regret that the Committee should speak of the 'Finnish subjects' clause of the Act of 1878—a clause which, as has been seen, was proposed by the Emperor Alexander II. himself—as 'offensive to Russian national feeling.'

It has been argued that the present state of affairs by which Russians cannot become officers in the Finnish army, whilst many Finns serve as officers in the Russian army, is opposed to the principles of reciprocity. But a Finnish officer entering the Russian army becomes subject to all the conditions as to language, etc., of the Russian service. He is specially trained for the purpose, and becomes, from the view of military duty, practically a Russian. The number of such Finnish officers in the Imperial service never exceeds one per cent. of the whole body of Imperial officers. It would be very different with Russian officers in the Finnish army if once the policy of unification were to set in. They would bring their language and other qualities, and they would come in such numbers as entirely to swamp the Finnish element. In fact, the proposal, taken in connection with

the political tendencies already referred to, can only be regarded as another step in the direction of the desired denationalization of Finland. The Estates cannot but resist such a tendency, and hold fast to a clause which they regard as one of the most important conditions for the maintenance of the constitution of Finland.

After pointing out that no alteration in the mode of organizing and officering the Finnish active army can be called for on the ground of lack of efficiency—since their good discipline and soldierly qualities have been repeatedly praised by the inspecting officers and by the Tsar himself—the Estates proceed to a very interesting discussion of the Finnish national character in connection with army service, with the object of showing that any change in the direction of Russification would be injurious both to discipline and efficiency. The youth of Finland, it is claimed, possess many of the special qualities which go to the making of good soldiers; but it must not be overlooked that there belongs also to the Finnish national character a certain taciturnity and a reserved and sometimes unyielding disposition, the result of the continuous struggle of the people for centuries with many trials and much suffering. This renders it necessary that the control and education of lads called to military service should be in the hands of people fully acquainted with their language, customs, and idiosyncrasies, otherwise the process of instruction would be painful; unavoidable misunderstandings would lead to faults on the part of the soldiers, in dealing with which faults, again, the Russian officers might, without intending it, proceed in such a way as to make matters worse.

Nor can the efficiency of the Finnish officers be questioned. They all, without exception, speak the Russian language; they receive the same education as the Russian officers, and they are kept fully conversant with the service and the circumstances of the Imperial army, so as to be fully prepared for common action with Russian troops in manœuvres or in war. And the Finnish conscripts themselves, in virtue of the qualities mentioned, would certainly better endure hardship and face danger on the field of battle if the strong tie of a common nationality united them to their officers.

Coming to the question of the strength of the Finnish army on a peace footing, the Estates point out that the figure agreed upon in 1878—namely, 5,000 men—was not laid down as a fixed and unalterable standard, but simply as one suited to the circumstances of the country at the time, and capable of alteration as the development of the resources and population of the country should warrant. The Finnish Committee in St. Petersburg agreed with the Senate in this matter and approved of the number agreed upon on the express ground ‘that as set forth by the Minister of War it by no means follows that the number of the Finnish army should always and unalterably remain at a fixed peace strength of 5,000 men, but that this number could, in proportion to the resources, and with the consent of the Estates, be augmented.’ The fixing upon that number did not, as a matter of fact, prevent its being increased when, in 1889, it was decided to raise a regiment of dragoons, the Estates readily agreeing to the necessary amendment of sec. 121.

Another of the numerous misrepresentations made

to the Emperor by the Russian General Staff refers to this clause, which in one of its sub-sections directs that the distribution of the troops should be determined by the Emperor and Grand Duke upon the representation of the Senate. In its 'explanations' the Russian committee informed the Tsar that the Estates 'extended their claims even to the length of considering that the question of the distribution of the troops ought to rest with the Senate,' although the text before them expressly states that the decision rests with the Emperor acting, on general principles, naturally on the advice of the Senate, which was the governing body of the country, appointed by himself. Such 'representations' do not in the least interfere with the Emperor's right, on the advice of the War Minister, to control the movements of the troops in manœuvres or in time of war.

In the present propositions there is no clause fixing the number of the active army in time of peace, although it is clear that a large increase is intended. The object seems to be to take the matter entirely out of the hands of the Diet, and to invalidate altogether sec. 121 of the present law in which the number is fixed. The Estates cannot, of course, agree to such a proposal. The Diet fully recognises, as has already been said in this report, that a considerable increase in the force at present fixed on as the peace footing is desirable. At the same time, the Estates cannot admit that the increase should be such as to bring the Finnish army up to the same proportion to the population as exists in the case of the Russian army. The political arrangements of Russia have for two centuries been specially directed to the problem

of procuring sufficient funds for the maintenance of a mighty army as a means of attaining great political aims, and the fact that the finances of the empire, notwithstanding such sacrifices, have been brought into such excellent condition, is itself a proof of the vastness of the economic resources of every description which exist in Russia.

Altogether different is the situation of Finland. The fact that since 1809 Finland has been assured in the possession of peace, and has had to bear only a small burden for the defence of the country, has made it possible for that country to make a gratifying progress in material well-being in spite of a barren soil and an ungenial climate. Grateful for the privileges conferred on them up till now, the Finnish people cannot, it is true, think of demanding that they shall be indefinitely favoured to the same extent when sacrifices for national defence are required. The Estates are, however, of opinion that any attempt to apply a hard and fast mathematical standard would, in view of the inferior natural resources of Finland, result not in equality but in inequality and injustice. The Russian army on a peace footing stands in a proportion of about 7·8 per thousand of the population. If this proportion were to be extended to Finland, it would mean a peace footing of about 20,000 men. To maintain so great a force would be ruinous to the country, and the scarcity of labour, already severely felt, would increase to such a degree as to threaten agricultural and industrial disaster.

After giving every consideration to the question of the extent of increase that could be borne by Finland, the Estates arrived at the conclusion that the number

of men on a peace footing could not be raised to more than 12,000. This means more than doubling the present army on a peace footing, and such an increase should be introduced gradually during a period of at least nine years, and an essential condition of such an added burden would be that the present customs tariff should not be subjected to any great alteration, as otherwise great economic and financial difficulties would result. And it is of the utmost importance that the development of the country should be allowed to proceed as hitherto under the protection of steady and unvarying economic laws.

It is a little difficult to make anything like a valid comparison between the suggestion made above by the Finnish Diet and the demands of the Russian General Staff Committee. The Diet offers an increase amounting to rather more than a doubling of the peace footing of the army, the total to be attained by yearly increments spread over a period of at least nine years, and, while making no estimate of the financial burden involved in this, lays it down as a condition that the Finnish revenue shall not be violently disarranged in the interval by any serious interference with the customs tariff. The Russian scheme, on the other hand, mentions no total either for a war or for a peace footing, advises a yearly increment at an increasing ratio spread over ten years, and it is suggested that the money could easily be found by an all-round increase in the customs tariff, so as to equalize it with that prevailing in Russia, a method of raising revenue not at all approved of by Finnish financiers.

The Russian estimate is accompanied by a series of tables, showing that on an average of the last five

years only 9·6 per cent. of the young men in Finland attaining the age for service are called on to join the active army, whilst in Russia 36 per cent. are called on. The present annual contingent averages 1,920, who serve in Finland for three years, the total under arms amounting to 5,821. It is proposed to leave unchanged the contingent left to serve in Finland (although apparently the total peace footing would be increased owing to the extension of the number of years of service), but to steadily raise the number of conscripts, each year's increase being drafted to do their service in the Russian army. This particular table is in five columns, showing the year, the number of fresh conscripts called out, the percentage, the number drafted off to Russia, and the amount of money that Finland, in addition to maintaining her own army, would be called on to pay over to Russia for their support :

Year.	Contingent.	Per cent.	Contribution to the Russian Army.	Contribution to the Russian Treasury. Finnish Marks.
1899	1,920	9·6	—	—
1900	2,460	12·3	540	—
1901	3,000	15·0	1,080	1,121,296
1902	3,540	17·7	1,620	2,242,592
1903	4,080	20·4	2,160	3,363,888
1904	4,620	23·1	2,700	4,485,184
1905	5,160	25·8	3,240	5,606,480
1906	5,700	28·5	3,780	6,727,776
1907	6,200	31·0	4,280	7,849,072
1908	6,700	33·5	4,780	8,970,368
1909	7,200	36·0	5,280	10,091,664

Finland, in fact, offers to double her peace footing, or rather more ; Russia calls on her to quadruple it. It will be seen that the demand is a very severe one.

The Military Committee of the Diet was not unanimous in reporting in favour of the increase to a

12,000 maximum for the Finnish Army, four peasant members voting for a limit of 10,000; but ultimately the 12,000 maximum was accepted by the Estates. The Committee also instructed the Estates to insist on the maintenance of the principle that the Finnish troops should be stationed within their own provinces (*län*) within the Grand Duchy. The Russian General Staff proposal contains a stipulation to the effect that the Finnish troops may also be distributed in divisions and corps that are stationed out of Finland; and in the 'explanations' it is further added 'that the Finnish drafts may be incorporated in other combinations of troops in case they are transferred from the Finnish to other military districts, and that may occur in time either of peace or of war.' Against this, besides the legal and other objections already made which prove this proposal to be entirely inadmissible, it may be pointed out that the stationing of troops in time of peace outside the boundaries of the country in which they were raised would result in military disadvantages and complications. It would complicate the working of the conscription system, and essentially delay the work of mobilisation and increase its cost.

The principle has already been admitted that the Finnish troops are bound to take part in the general defence of the empire outside Finland, and the Estates propose that sec. 123 of the present law shall be amended so as to enact expressly that Finnish subjects are liable to compulsory military service for the defence of the Russian Empire, and that they may be called to serve out of the country for that purpose. Finland can have no separate existence so far as international questions, properly so-called, are con-

cerned; and it is thus a consequence of Finland's union with the empire that, in a political sense, Finnish troops can have no other object than Russian troops. If war breaks out, the enemies of Russia are the enemies of Finland. But it does not follow that in the employment of Finnish troops special circumstances should not be taken into consideration; it goes without saying that the Finnish soldier will fight best when he is conscious that he is fighting for the defence of his own country; and if a war were to break out that called for measures of defence in Finland, it would be out of the question to use Finnish troops elsewhere. Therefore, the Estates have felt it necessary, whilst asserting the general Imperial liability of the Finnish army, to insert words in the proposed clause providing that Finnish troops should in time of war be used primarily for the defence of Finland, and that they should only be called on to assist in defending the empire when there is no likelihood of their being required for the former purpose—that is, when no attack on Finland is anticipated. This especially concerns the *landwehr*, which can only be called out in time of grave danger and on some extraordinary emergency.

It need hardly be said that if the alterations in the existing law now suggested are accepted and ratified, military service will be rendered in many respects more burdensome than at present. It is therefore necessary that the increased pressure should be applied gradually, and specially that the stipulations regarding increased length of service should not be applied in the case of those whose term of service has already commenced under the old conditions, or who, having

taken part in the balloting, have been declared exempt from service in the active army. Only such conscripts as have served their time in the active army should hereafter be transferred to the reserve.

By way of summing up, the Estates declare :

‘That the proposal for a Military Service Law for the Grand Duchy of Finland, sent in along with the Gracious Proposition, cannot be accepted by the Estates, and that the gracious proposition concerning the principles for the organization and administration of the Finnish army, and the accompanying proposal for ordinances, have been found to have in view such alterations of the existing Military Service Law and of the general Fundamental Laws that the Estates have found it impossible to agree thereto.

‘That the Estates, however, since his Imperial Majesty has in the said Gracious Proposition taken the initiative for a revision of the Military Service Law for the Grand Duchy of Finland, bearing date December 27, 1898, have on their part accepted, and humbly submit to his Imperial Majesty for his sanction, the proposals that follow.’

[Here follows the full text of the proposed new clauses as altered in accordance with the principles explained above.]

The Estates then proceed to explain that as these clauses can, according to the Fundamental Laws, be confirmed and issued only in literal agreement with the text adopted by the Estates, and as, further, the Military Service Law of 1878 remains in force until it is replaced or altered in the manner provided by the

Fundamental Law by a new law on the subject, they think it their duty to propose :

‘That in the event of the decision of the Estates in one or other particular not meeting with his Imperial Majesty’s gracious approval, the Estates request that his Imperial Majesty should be pleased to have drawn up and presented to the Estates a new Gracious Proposition for the reform of the Finnish Military Service Law.’

In the matter of the education of officers, too, the Russian Committee had made recommendations which would have had the effect of destroying altogether the present system of education of Finnish officers, which is admittedly good. Everything is to give way to unification, and it was proposed that instruction in all military branches should in future be obtainable only in Russian establishments. This would at once tend to check the number of young Finlanders aspiring for commissions at the very moment when a material increase in their number was necessary. The Estates therefore insist on the maintenance of the Military Cadet School at Fredrikshamn, which has recently been extended, and which can if necessary be still further developed so as to meet all requirements.

The Diet thus completes its examination from the professional point of view of the present Military Service Law in the light of the proposals of the Committee of the Russian General Staff, approved by the Minister of War, and placed before the Estates for their opinion. But that the Russian proposals utterly disregard constitutional practice and the guaranteed rights of the Finnish people is made clear, as is also

the fact that this encroachment is not accidental, but is part of a well-planned scheme for the unification and Russification of the Grand Duchy. One of the worst features of the case is that the authors of these proposals and of the accompanying documents, men high in office, do not scruple to suggest suspicions of the integrity of former Finnish Secretaries, who possessed the confidence of the Tsars in whose service they passed their lives. When it is proved from the documents, statutes, and Imperial proclamations that the present Military Service Law is a law passed by the Estates, and consequently one that cannot be altered except by the consent of the Estates, the officials of the War Office fall back on some imaginary trickery by which the Finnish Senate and the Finnish Secretary induced Count Miliutin and the Tsar to assent to the Act, and to agree further to the making of its principal clauses paragraphs of a Fundamental Law. The Estates attached so much importance to this matter, as one going to the root of all possible good relations between Russia and Finland, that special attention was given it by the Law Committee ; and the Committee's report, a crushing refutation of the Russian charges or insinuations, is embodied in the 'humble reply,' together with a number of other arguments on the purely constitutional side of the question. Most of these points, including the charges relating to the passing of the Act of 1878, have already been referred to in the earlier chapters of this book, but an outline of this portion of the report must be given in order to complete and conclude the reproduction of the substance of Finland's 'Grand Remonstrance.'

CHAPTER XV.

THE CONSTITUTIONAL ARGUMENT.

THE Law Committee in their report pass briefly over the earlier portions of the controversy. That the Form of Government of 1772 and the Act of Union and Security of 1789 are the Fundamental Laws referred to in the assurance given by Alexander I. at Borgå is established by the extracts from the speeches and writings of Alexander himself, and of his secretary and confidential adviser, Count Speranski, which have already been cited in the historical explanation in Chapter IV. That in virtue of that constitution and of its confirmation by successive Tsars, the Diet of 1877 possessed ample power to legislate for the Finnish army, and exercised that right in conjunction with their Sovereign, Alexander II., is also abundantly proved, and the argument is noticed that the Fundamental Swedish Laws could not be valid because they contained provisions inconsistent with Russia's inherent rights. The procedure in connection with the Diet of 1877 and the Military Service Law sanctioned in the following year is treated at greater length.

In reply to the assertion that Count Miliutin and the Tsar only consented to the passing of the law

because it was represented to them by the Diet that it was merely a temporary regulation, that could at any time be altered by the Monarch without the consent of the Estates, it is pointed out that there is not a single word in the correspondence that could lend colour to such a contention. The Estates did not, of course, imagine that a first attempt at legislation on such a subject could be final, and so, in view of the possibility of some parts of it proving unsuitable to the social and financial condition of the country, and thus calling for amendment, they requested the Tsar, within ten years or sooner, to present to the Estates a proposition for such alterations as might be found necessary. In that they had obviously in view that the law should in the future be altered by the same method as that in which it had been made—that is, with the co-operation of the Estates. In fact, this has already been done by the amendments of November 20, 1882, December 29, 1885, January 25, 1886, March 18, 1886, and February 11, 1889.

Nor does the report on the subject of the Bill made by the Finnish Senate to His Majesty contain the slightest allusion to the idea that the Act was a mere temporary expedient, to be altered when necessary by the authorities in St. Petersburg. The Senate in its 'humble representation,' after giving an account of the rather considerable alterations made in the propositions by the Estates, proceeds to point out that some of the alterations so made only affect the wording or 'redaction' of this project, without making any real alteration in the matter or substance of it, whilst others bear only on matters of administrative

detail, 'in which correction or amendment, should such prove necessary, ought to be obtainable in the future without any difficulty.' It must be obvious to anyone who understands procedure that here the Senate are only expressing the opinion that the Estates would not hesitate to co-operate with the authorities in enacting such alterations as were shown to be necessary. Count Miliutin, the Minister of War, as is shown by the records, received a copy of this humble representation, and can have been under no possible misapprehension as to its meaning. Indeed, it was after taking cognizance of this and other documents relative to the measure that Count Miliutin recommended its confirmation, including those clauses which it was proposed to safeguard with the special sanctity of Fundamental Laws. There is no evidence, it is true, that the War Minister had knowledge of the particular fact that certain clauses were to be declared fundamental, but that point, whatever the truth may be, is of no real importance, since Count Miliutin must have known that a measure presented to the Estates and passed by them, and afterwards sanctioned and promulgated by the Emperor, became a law of Finland, and could not be altered otherwise than with the approval and assent of the Estates.

Count Miliutin was, in fact, no stranger to Finland or its constitutional methods. He was present with Alexander II. when His Majesty in person opened the first Diet of Helsingfors in 1863, and heard the deliberate and carefully-worded declaration made by the Monarch that the principle of the constitutional monarchy was inherent in the character of the Finnish

people, and that of that principle all their laws and institutions bore the impress ; and he was naturally not ignorant of the only possible meaning which in any Parliamentary State in the world attaches to the circumstance of the Monarch giving his sanction to a measure accepted by the Estates. Even if it could be imagined that the Minister of War did not know the meaning of the Diet's deliberation and the Monarch's sanction, it so happens that there exists positive proof that Count Miliutin was not only acquainted with the Finnish constitution in general, but also with the particular Swedish statutes on which it is based. In a despatch forwarded by him to the Minister-Secretary of State for Finland on October 25, 1876, he discusses the question of the person to whom the command of the Finnish troops should be entrusted, and in the course of the argument he says : ' Moreover, according to the Swedish constitution of August 21, 1772, which lies at the basis of Finland's constitutional organization, the supreme command of all troops and of the army belongs solely to the King.' And from another portion of the same despatch it is clear that Count Miliutin had had under his particular consideration the position and powers of the Estates. The Senate had, it seems, expressed its doubts in connection with this same matter of the command of the army, ' as to the possibility of obtaining the assent of the Estates of the country to an alteration of the Fundamental Law which makes it requisite that every holder of a Finnish office must be a citizen of Finland ;' and the Minister of War quotes this expression of opinion and comments upon it.

These extracts entirely dispose of the contention of

the Russian Staff Committee that Count Miliutin was so little versed in constitutional law in general and in the constitution of Finland in particular, as to imagine that every law that was not expressly declared a Fundamental Law could be altered by the Monarch without the consent of the Estates. Such an idea, in fact, existed in no quarter in the time of Alexander II., when Finland's constitutional rights were well understood and were respected in the highest quarters. Such absurd theories are a later invention, and have their origin in interested political motives. Count Miliutin was well aware that the Monarch's confirmation of the Military Service Bill made it a law that could only be altered by the same authority as that which had created it—namely, the Estates and the Emperor; and that being so, it was from his point of view a matter of secondary importance whether the law was a fundamental one, requiring the assent of all four Estates, or an ordinary law, requiring the assent of three only.

Nor does the despatch of Count Miliutin bearing date July 31, 1878, when properly considered, support the contention of the General Staff that the War Minister imagined that he could alter the new law without the consent of the Estates. The terms of that despatch are as follows :

‘In obedience to the Gracious Command of His Imperial Majesty, and in answer to the despatch of the Secretary of State of July 14th of this year (No. 512), I have herewith the honour to inform your Excellency that the War Department being in agreement with the Senate of Finland, both in its judgment of the Military Service Law approved by the Estates

of the Grand Duchy of Finland, and also as to the special causes and motives on account of which the Senate has considered it possible to consent to the considerable alterations made by the Estates in some of the fundamental provisions of the proposed regulations, which by Gracious Command were submitted to the examination of the Diet, does not discover any obstacle to submitting the said law for the gracious confirmation of His Imperial Majesty in the form in which it was accepted by the Estates; in the first place, because this law, according to the request of the Estates, would only be a temporary one, and subject to revision after the same had been applied during ten years, or even sooner, should such revision be found necessary, and according, further, to the declaration of the Senate as gathered from despatch No. 512 of the Secretary of State, that the necessary alterations in details and drafting could in case of need be made afterwards without difficulty; and in the second place, in order that the carrying out of a military reform so necessary for the Grand Duchy should not be postponed.

‘At the same time, the War Department has found that it is able to concur in the declaration of the Senate of Finland in relation to the representation made by the Estates on the question of assigning means to cover the cost of the introduction of compulsory military service, but upon condition that the proposals as to the organization of the Finnish troops and as to their administration and military arrangements, which proposals are dependent on the decision of this question, and would be drawn up by the Senate before being submitted to the gracious ratification of His

Imperial Majesty, will, in due time, be communicated to the War Department, with the view of obtaining its opinion, and that the question of abolishing the system of quartering (*inkvarteringsskyldigheten*) in Finland, as requiring very careful treatment, especially in so far as it concerns the Imperial troops, should be separated from the present question, and subjected to a thorough scrutiny, at first on the spot, in order that an opportunity should be given to the local military officers to take part in such scrutiny, and afterwards in the War Department itself.

‘In communicating the above I have the honour,’ etc., etc.

The Minister of War here shows that he understood that no real alteration of the law could be made without the consent of the Estates; for, whilst thinking that alterations in ‘details and drafting’ might be made by the officials, he makes a distinction between such verbal modifications and that ‘revision’ for which the law would come up after its ten years’ practical working.

If he had imagined that the whole law could be altered at the will of the Department, and without the assent of the Diet, it would not have been necessary to make any such distinction. It will also be noticed that the opinion of the War Minister on the temporary nature of the measure is based on the statement made by the Estates, and from that statement Count Miliutin would also have learnt that such revision after temporary operation required the assent of the Estates. The argument as to the desirability of a confirmation of the law ‘in order that the carrying out of a military reform so necessary for the Grand Duchy

should not be postponed,' is also conclusive as to the knowledge on the part of the Minister of War that it was necessary to take advantage of the assent of the Estates even to what he regarded as an imperfect measure, as, otherwise, the Diet being dissolved, no military reform could be carried in ordinary course for a period of five years.

But, whether or not Count Miliutin fully understood the distinction between Fundamental Laws and General Laws, it is quite certain not only that the Emperor Alexander II., with a perfect knowledge of the legal significance of his act, confirmed the Military Service Law as it had passed the Estates, but that he also accepted and approved their resolution and request that certain parts of the law should acquire the special sanctity of a Fundamental Law, and that he, with this full knowledge and consent, signed a special manifesto to that effect. This in itself is, of course, decisive, so far as the absolute and unquestionable validity of the measure in all its parts is concerned.

The Law Committee did not think it necessary to discuss the preposterous idea of some Russian writers, that the validity and force of a law confirmed by the Monarch could be called in question on the ground of an opinion expressed years afterwards by some third party, or on the ground that His Majesty did not comprehend the full significance of his Act of Ratification. It confined itself to pointing out the fact that not only was Alexander II. thoroughly conversant with the constitutional circumstances of Finland in general, but that he was also well instructed on this particular point. The Minutes of the Finnish Committee

for August 30, 1878, have been produced and examined, and on this record, which has been signed and approved by His Majesty himself, there is the express reminder that on account of the fundamental character that attaches to certain paragraphs of the Military Service Law, 'the conditions governing the said paragraphs would be that no alteration in them could be effected save on the initiative of His Imperial Majesty, and with the united assent of all four of the Estates of the Diet.'

The special manifesto signed by His Majesty on December 6/18, 1878, was in the following terms :

'In addition to Our this day graciously approving and confirming a Military Service Law for the Grand Duchy accepted by the Estates of Finland, We have, in conformity with what the Estates have proposed, found it good Most Graciously to declare that the following paragraphs in the same, which are of greater importance, and in part also involve an alteration of the Fundamental Law in force, viz., 1, 2, 3, 4, 5, 6, 9, 13, 19, 20, 120, 121, 122 and 123, shall be regarded as paragraphs of a Fundamental Law.'

The Committee found it necessary also to deal with another argument which finds expression in the reports of some of the Russian Commissions charged with the preparation of the new army proposals, and which takes the form of exaggerating the alleged claims of Finland under the Fundamental Laws of 1772 and 1789, and thereby representing Finland's attitude as one impossible to recognise consistently with the safety of the empire. It is said that Finland claims to be an independent State bound to Russia simply by what the German jurists call a 'personal' union. This has

never been the contention of any Finnish publicist of standing, and the Estates of Finland have on several occasions, acting in conformity with the Law Committee, both in statutes and otherwise, given expression to the acknowledgment that Finland, whilst enjoying domestic autonomy, is inseparably united with the Russian Empire, and constitutes a part of Russia. No other opinion can be said to prevail in Finland.

As regards the Imperial Manifesto of February 3/15, 1899, and the Fundamental Statutes annexed to it, the conception that seems to the Committee to form its basis is that the Imperial Council in St. Petersburg should be made into a sort of legislative organ for Finland, and that laws could thus be passed for that country even in cases in which the Form of Government of 1772 and the Law of the Diet of 1869 permit of legislation only with the approval and consent of the Estates. The statutes proposed in the Manifesto certainly suggest the possibility of measures passed by the Estates being reconsidered and confirmed in a wording differing from, or even directly contrary to, that fixed by the Diet. And as the Manifesto, which in that respect presupposes a method of legislation entirely foreign to the law of Finland, seems thus to have in view that the present proposal for a Military Service Law should also be dealt with according to the Fundamental Statutes referred to, and as this question is thus inseparably connected with that submitted to the Estates, the Committee, being convinced that the state of affairs has not been fully laid before His Imperial Majesty, is of opinion that the Estates should in their humble reply give prominence to the

circumstances which ought in this connection to receive His Majesty's gracious consideration, and which are as follows :

‘1. The Fundamental Laws confirmed by the Emperor Alexander I. form, as the Monarch several times expressed it, a constitution ; and this includes, amongst other things, that the country shall be governed according to its own laws ; that the Monarch has the right to rule and govern conjointly with the local authorities ; that a law, whether fundamental or otherwise, to be valid in this country, can be made only with the approval and assent of the Estates, except in certain Departments in which the Monarch has the right to issue laws without the co-operation of the Estates, yet so that it is done with the concurrence of the local authorities ; and, as regards the military burden especially, that a law on compulsory military service cannot be made without the knowledge, free-will, and assent of the Estates.

‘2. Since the separate constitution of Finland was thus confirmed, neither the Institutions of the Empire, nor its principles of autocracy, have ever been introduced or have been in force in this country. The Imperial Council can, therefore, not act as a legislative body for Finland.

‘3. The Manifesto of 3/15 February, and the Fundamental Statutes annexed thereto, set up for the making of laws that shall be valid also in Finland another method of procedure than that fixed in the Fundamental Laws of the country. These decrees have not only been drawn up by authorities foreign to the country, but have also been issued without the approval and consent of the Estates of Finland, and, moreover,

have been promulgated here in a manner not consistent with the laws of the country, namely, by means of a copy, and without being countersigned by the Minister-Secretary of State for Finland. In consequence of this, it is evident that the Manifesto and the Fundamental Statutes are in conflict with the right of self-government which, according to Finland's constitution, belongs to her people.

‘4. Since Finland's Fundamental Laws do not allow of the making of laws for the country in any other way than that fixed in these Fundamental Laws, law-making for the whole empire has not, properly speaking, heretofore existed.’

[This does not assert that the Monarch, before taking measures valid for Finland, might not have consulted the authorities of the empire when the subject was one in which its interests were concerned; and as the Monarch has in certain classes of cases the right of issuing laws without the assent of the Estates, it has been permissible constitutionally in such cases to enact laws that were valid both in the empire and in the Grand Duchy, without the matter having been treated by the Estates. This applies to such matters as the succession to the Crown, and treaties, and other relations with foreign powers. Such things concern the whole empire, and the administration of such cases has never given rise to any difficulties.]

‘5. Should, however, the procedure for law-making for Finland which has hitherto been in force be found to require amendment, with a view to rendering possible the introduction of a system of real Imperial legislation, such modifications of the constitution of Finland can, with due regard for the sanctity of the Funda-

mental Laws, be brought about only with the co-operation of the Estates.'

The Estates, in concluding their 'humble reply,' adopt and incorporate the report by the Law Committee. After once more assuring the Emperor that the rights of Finnish nationality have in them nothing contrary to the dignity or to the highest interests of the Russian Empire, and repeating the declaration made by Alexander I. in closing the Diet of Borgå that Finland would be '*placé désormais au rang des nations sous l'empire de ses lois*,' the Estates declare that they simply hold fast to the sanctity of the rights thus guaranteed. They again refer to the fact that the Finnish people have never during their ninety years' union with Russia been a cause of anxiety to Tsar or empire, and they point out that the despondency that now prevails has been caused solely by the reiterated attacks on what they value as their highest and most precious possession. They conclude with these words :

'The Estates are assured that the aforesaid deeply grave circumstances have not, or at least not completely, been laid before Your Imperial Majesty ; whilst, on the other hand, it is to be feared that communications injurious to Finland, the wrongfulness of which time will surely show, have been made not only to Your Imperial Majesty, but to influential circles in the empire. But in Finland's people the conviction has from of old been root-fast that the people can and ought to turn with confidence to its Monarch in order to lay before him what moves it to the depths of its heart.

‘Convinced of the importance of what has been set forth above, the Estates have thought that it ought with humility to be submitted to your Imperial Majesty’s own gracious consideration, and the Estates venture to believe that those high-minded words once addressed to the Finnish people from the same throne which Your Majesty now occupies shall still prevail, namely, that utterances of probity, truth, and obedience to the law can always reckon on the Monarch’s Imperial protection and gracious favour.

‘In summing up what has been already set forth, the Estates humbly represent to Your Majesty as follows :

“That, according to the constitution of Finland, a law which shall be observed by the Finnish people can be made only in the form prescribed by the Fundamental Laws of the country, which provide that not only is the Monarch to be assisted therein by the local authorities, but also that a law concerning matters not pertaining to so-called ‘cases of order and economy’ shall be passed with the knowledge and assent of the Estates.

“That, on the other hand, the ‘order for the making of laws intended to be in force also in Finland’ which has been prescribed in the statutes annexed to the Gracious Manifesto is in conflict with the Fundamental Laws of Finland and with the constitution based upon them.

“That the Manifesto and the statutes thereto annexed which have been passed without the approval and assent of the Estates of Finland, and also in another order than that prescribed by the Fundamental Laws of the country, cannot, in consequence, have in Finland the sanctity of law.

‘ “That, especially, the law concerning Military Service for the inhabitants of Finland cannot, without violating the constitution of the country, be issued as an Imperial law, or otherwise be ratified by the Emperor and Grand Duke, until it has been accepted by the Estates.

‘ “That the Military Service Law now in force, which was passed in the order prescribed by the constitution of the land, cannot be altered or abolished otherwise than by the concurrent decision of the Emperor and Grand Duke and the Estates.

‘ “That in case Your Imperial Majesty should, however, find that a special method of making laws that are to be of common application to the empire and to Finland is called for, the Estates expect that Your Imperial Majesty will be pleased to lay before the Estates, in order that it may be treated according to law, a Gracious Proposition containing a scheme for such an alteration of the Fundamental Laws of the country as is necessary for that purpose.

‘ “And, finally, the Estates desire to declare :

‘ “That the Estates consider it their duty, based upon the highest considerations, to hold fast to the law and the right, which in the year 1809 were solemnly guaranteed to the Finnish people to be irrevocably maintained.” ’

CHAPTER XVI.

THE NEXT STEP?

THE careful and deliberate mode of action adopted by the Diet in dealing with the Russian aggression, and the strict legal form in which its decisions were framed, were extremely irritating and at the time not a little embarrassing to the Hotspurs of the anti-Finnish press. They had looked on the abolition of a constitution as a thing to be ordered by a Governor-General and there and then accomplished. An outbreak of violence they were prepared for, as well as for the stern repression that would have followed, but the imperturbable determination of the whole Finnish people to maintain their rights, and at the same time to abide within the bounds of strict order and legality, was a puzzle to them. The movement of constitutional defence neither boiled over nor grew cold, and the few attempts that were made to create a disturbance by imported *agents provocateurs* only provoked ridicule, and were soon given up. One of the many tales circulating in Helsingfors in those anxious days was to the effect that General Bobrikoff, desirous of ascertaining the state of feeling in the capital, and anxious for the public employment of a special Russian

gendarmierie—they were already being employed secretly—sent for the Chief of Police and questioned him as to the force on which he could rely to maintain order. ‘Seventy thousand, your Excellency,’ was the prompt reply of the Finnish official; and the Governor-General took the hint that the population of Helsingfors were unanimous, and that disorder need only be looked for from his own hired agents.

When it was seen that the Finnish Estates, instead of simply accepting or rejecting or declining to consider the measure, were making its presentation the occasion of a carefully-prepared historical and constitutional vindication of the rights of their country, the wrath of the Russian Nationalists knew no bounds, and papers like the *Novoe Vremja* and the *Sviet* were louder than ever in their denunciation of the ‘pseudo statesmen’ and ‘provincials’ and ‘anti-Russians,’ who, of course with the active assistance of the ‘English Protestants,’ the ‘Jewish bankers’ and the ‘Freemason lodges,’ were stirring up such a conspiracy against the Slavonic cause. ‘Finland is a Russian province like any other,’ cried the *Novoe Vremja*, and great things were talked about what would happen to Finland and the Finnish Estates for their temerity, but no one seemed to know just how to bell the cat. The Diet was closed on May 18, with the most cold and dry Imperial message ever delivered to Finland by a Tsar since Alexander I. pledged his word in Borgå Cathedral, no reference whatever being made to the work for which it had been summoned, or to the result or lack of result of the somewhat prolonged Session.

This form of dismissal was said to be a special inspiration of General Bobrikoff’s, whose plan is to

ignore the Diet as much as possible, and treat its work and its utterances as of no importance. He had been in St. Petersburg taking counsel with his backers, and had, it was understood, secured the cancellation of a much more gracious message that had been drafted at the Finnish Secretariat. But the Governor-General's best friends do not pretend that he is a clever man, and this method of snubbing the Diet was soon discovered to be a mistake, for it gave the Finns the last word, and the most prominent news all over Finland the next day was not that of the Tsar's message, but of the firm and moderate address of the Marshal of the Nobles. Baron Knut von Troil, Governor of Åbo ninety years ago, was the first of the prominent men to give in his allegiance to Alexander I., who warmly recognised his services, and ever since the family has been loyal to Finland and to Russia. The present head of the house, who in his capacity as Marshal of the Nobles headed the Estates when they waited on the Governor-General to hear the terms of the Imperial message, seized the opportunity, as did also the three *Talmän*, to sum up the work of the memorable Session, to re-emphasize the illegality of the attempted *coup d'état* from St. Petersburg and to reassert the self-governing rights of Finland. Baron von Troil's concluding sentences were :

‘ Recognising the obligations arising from the indissoluble bonds existing between Russia and Finland, the Estates cherish the hope that it may be possible for Finland in the future, as in the past, to develop the principles which have been applied by the magnanimous Russian monarchs, principles which have taken deep root in the minds of the people, which have pro-

cured for the country a high degree of culture, and have always secured respect for the laws, and have promoted order and tranquillity.

‘Latterly an opinion has more and more asserted itself according to which the highest statesmanship consists in the assimilation of the smaller races, without taking into consideration the national conditions and the historical development of such peoples. Finland under self-government has hitherto always been law-abiding, and has never caused anxiety to Russia, and the real interests of Russia would be best preserved if the so-called “stranger” peoples, amongst whom the Finns are numbered, were permitted to follow that path of development marked out for them by history. Russia would then have in the Finns a faithful, peace-loving people, which, although pursuing its own civilizing mission, would at the same time willingly and joyfully fulfil those obligations towards Russia which can be justly imposed upon Finland.’

Such words, delivered so publicly at the close of the Extraordinary Diet, could not be pleasing to St. Petersburg, and so, after a short interval, the remarkable step was taken of issuing a special Imperial Manifesto in answer at once to the reply of the Estates and to the speeches of Baron von Troil and the *Talmän*. This document, which is for the present the Emperor’s last word as to Finnish questions, and which was issued on June 22, 1899, runs as follows :

‘TO THE GOVERNOR-GENERAL OF FINLAND.

‘At the closing of the Extraordinary Diet by you on May 18/30, the representatives of the Estates brought to my notice the state of alarm into which

they had been thrown by the forthcoming reorganization of military service in the Grand Duchy of Finland and the promulgation of the Manifesto of February 3/15.

‘To my regret, I perceive from the speeches of the Marshal of the Nobles and the Speakers that the representatives of the country failed to accept the considerations of general State utility upon which the necessity of those measures depends, and allowed themselves the expression of unwarrantable opinions on the subject. I authorize you to declare at large that those opinions are incorrect, and that they do not correspond with the position of affairs established since the beginning of the present century, whereby Finland forms an integral and inseparable portion of the Russian State.

‘I desire also that it should be made known to the Finnish people that, having received on ascending the Throne the sacred duty of watching over the welfare of all the populations subject to the Russian sceptre, I found it good to preserve to Finland special organizations of internal legislation conferred upon it by my Imperial ancestors. At the same time, I took upon myself as an inheritance from the past the task of defining the relations of Finland to the Russian Empire by the force of positive law. With this object I confirmed the Fundamental Statutes of February 3/15, which lay down rules for the drawing up of general State laws concerning Finland. In accordance with this from henceforth unassailable legislative Act the labours of the Extraordinary Diet will be dealt with and taken into consideration in the final drafting of the military law.

‘While expecting you to maintain the present mode of action in confirming the minds of the population of

the district as to the true meaning of the measures undertaken for the purpose of strengthening the bonds uniting the Empire and the Grand Duchy, I trust that the faithful devotion of the Finnish people, which I do not doubt, will be proved by deeds, and thus render easy for you the carrying out of my instructions.

‘NICHOLAS.’

It will be seen that this document, in spite of the firmness of its tone, leaves matters between Russia and Finland very much where they were in February. In spite of its rejection by the Diet, the Tsar declares the measure of military reorganization to be ‘forthcoming,’ and announces that the principles of the February Manifesto and its accompanying statutes are established law ‘from henceforth unassailable.’ But no really irrevocable step has been taken; no attempt has been made as yet to enforce the illegal statutes, and the Military Service Bill will probably not be heard of again till early next year. It is certain, for example, that this year’s autumn conscription will take place on the old 1878 basis. So there is still time for the Tsar’s second thoughts. The Ordinary Diet meets on January 25, 1900, and then it will begin to be seen whether the Tsar means definitely to force the ruin of Finland rather than admit that his advisers have led him into making a mistake.

General Bobrikoff and the Nationalists of course use very big words, and when the Governor hears of the people leaving the country in thousands, he says, ‘Let them go; we can soon fill their place with Russian peasants.’ But the thriftless, unskilled *mujik*, who starves on the black soil in South Russia, would

not long keep up the struggle for existence among the rocks and swamps of Finland; and M. de Witte, the one real statesman in the Emperor's entourage, would have something to say if, as is inevitable, industrial and commercial ruin in such flourishing ports as Helsingfors, Hango, and Viborg were to follow the dragooning tactics of the reactionaries. And even General Bobrikoff himself must be by this time a little wiser than he was a year ago, when, with a light heart, he took in hand the task of bringing the Finns to their senses, much as he would face a sulky batch of conscripts.

'That is the way to speak,' cried the *Novoe Vremja* delightedly, on the news of the new Governor's first bullying speech to the Finnish Senate in October, 1898, and the Slavophil organ predicted a speedy end to the 'fantastic notions' about self-government and constitutional liberty which the mistaken weakness of past Governors had encouraged. But General Bobrikoff has found himself powerless before the law. He applies, it is true, for further 'administrative powers'—that is, for the power to arrest and banish at will—but even he can hardly expect that the grandson of Alexander II. will consent to such a flagrant outrage as that.

It is, in fact, easy to talk of 'further powers,' but, short of the methods by which order was made to reign in Warsaw or in Geok Tepe, it is difficult to see what General Bobrikoff can do against a people who will not be tempted or goaded into violence, and who meet every fresh aggression with the same passive resistance, and with an appeal to laws to which even a Russian official cannot shut his eyes. If the military proposals were illegally to be promulgated and enforced

as law in Finland, the situation would undoubtedly become very grave ; for the placing of young conscripts in Russian regiments and their removal to remote parts of the empire, as the Polish conscripts are removed, would stir a very dangerous feeling amongst a hot-blooded and stubborn race ; but even so, the attempt to raise the additional men would most likely simply serve to swell the ranks of those already pouring in a steady stream to America. It is true that no one may leave openly without a passport, but all the police in Russia could not guard a coast-line like that of Finland if the hardy young peasants, knowing what was before them, made up their minds to escape to Sweden, whose coast is almost in sight.

Is it quite impossible, then, that before it is too late the Tsar may decide that it is better to walk in the paths of his father and grandfather, and not risk needless experiments ? If he closes with the offer of the Diet, he will get an army of 12,000 men loyally and cheerfully enrolled, and serving under their own officers. Is he sure that if he tries to force on Finland the larger, illegal conscription he will get more troops ? Those who know Finland well, and who are by no means hostile to Russia, are convinced that he will not get so many, and that he will ruin the country into the bargain. This is of course nothing to the fanatics for unification. M. Pobiedonostseff, the persecuting Procurator of the Holy Synod, declares that the question is one of 'the unity of the army,' and he asks indignantly, 'Are we not to be allowed, by suspending the privileges of Finland, to unify the Russian army ?' It will be noticed that M. Pobiedonostseff, who is an old professor of law, makes no pretence of right or legality

in the matter ; he knows too much of the constitution and of legal documents for that. He simply sees that it is a question between Finland's right and Russia's armed force, and of course, under the circumstances, right must be 'suspended.'

But will the Tsar be so easily pleased? He has two things to think of—his reputation as a preacher of the doctrine that it is the 'supreme duty' of Sovereigns 'to put an end to these incessant armaments,' and his own pledged word of honour to Finland. The first has already been more than once referred to. It lends a touch of comedy to the situation to see the Tsar led into such a situation for a paltry few thousand soldiers when the ink is hardly dry on his Peace Manifesto. But to that he may of course reply fairly enough that he only believed in disarmament when he thought he could persuade the other potentates to believe in it too. It is, however, a more serious matter when the question is considered, not as one of policy, but of pledged faith. No one can examine fairly the constitution of Finland without having to admit that there is more than one question so much on the border line, that disputes and misunderstandings might honestly arise between Helsingfors and St. Petersburg as to whether the matter was one to be settled by the Diet or by Imperial ordinance. But it is beyond all possibility of argument that the question of conscription is not one of them.

In the Form of Government of 1772, whose validity as a Fundamental Law has been acknowledged, as we have seen, by every Russian Emperor and statesman, and which was expressly invoked by Alexander II. and by his War Minister, Count Miliutin, it is laid

down that 'no conscription can take place without the knowledge, free-will, and assent of the Estates' ('någon utskrifning ej far ega rum utan Ständernas vetskap, fria vilja och samtycke').

And Alexander I. was well aware of this legal restriction, for in his proposals to the Borgå Diet he expressly pledged himself that there should not be in Finland, 'ni présentement ni à l'avenir,' any 'conscription militaire ni autres moyens à cet égard contraires aux lois.' Even the well-meaning M. Ordin unwittingly destroys the case of his friends on the military question, for, writing ten years ago, and not dreaming of what was to be the point of controversy in 1899, he not only admits that 'freedom from compulsory recruiting' was one of the 'root-laws' (*korennie zakoni*) which Alexander confirmed at Borgå, but puts it forward as one of the obvious and indisputable matters, whose very clearness he uses to strengthen him in his argument as to those other matters which, he contends, were not confirmed.

And, finally, even if the question had never before been raised at Borgå or elsewhere, the action of Alexander II. is conclusive. When he, on December 6/18, 1878, 'graciously approved and confirmed' the Military Service Law passed by the Diet in 1877, and further decreed that certain clauses of it should be declared fundamental, he raised the question altogether out of the realm of controversy. It became a law made by the Diet and the Emperor, and only alterable by the Diet and the Emperor, and both the War Minister and the Tsar know it. It is, then, little wonder that there is hesitation in St. Petersburg. It is all very well for M. Pobiedonostseff to declare that

it is a question of 'unity,' and that that settles the matter. And so it may—for him. But the Tsar has a character to lose, and it is, therefore, not inconceivable that when the 'forthcoming' military scheme makes its appearance next spring, it may, after all, prove to be nothing more startling than that elaborated by the Estates, which, it must be remembered, is now the only constitutional proposition before the Emperor. Such an acceptance, implying a doubling of the Finnish army, would involve no very great surrender on the part of St. Petersburg, and it would at once dispose of the military difficulty.

Meanwhile, the situation in Finland under the long-drawn-out suspense is deplorable. No complaints are received, no reply is elicited, except that the Tsar will decide what is best for Finland, and that Finland must trust to the Tsar. It seems useless to point out to Russians who bring this forward in all good faith as a reason why Finland should be content, that it is just such fatuous remarks that form the really alarming part of the situation, for they prove that the Tsar and those about him have not begun to comprehend the question they are dealing with. The whole case of Finland is one of constitutional right, not of autocratic favour;—it is a recognition of their constitution that they want, not a promise of goodwill; and a recognition of the constitution of 1809 and 1869, with the promise that it is only to come into operation when the Tsar thinks it advisable that it should come into operation, is a cruel mockery and an insincerity not worthy of the successor of the three Alexanders. Yet that is what the two Manifestos of February 15 and June 22 amount to, and, in consequence, Helsingfors

is almost like a city in the occupation of a hostile force. The Governor and his staff are regarded as strangers and enemies, and they move through the streets unknown and unrecognised.

Until this conflict arose the Governor-General, whether popular or unpopular, whether sympathetic under Alexander II. or rigorous under Alexander III., identified himself with Finland and Finnish interests. The Government House on the Esplanade was the centre of the social life of Helsingfors; the *entrée* was an honour sought after, as conveying recognised social position. Now no Finlander crosses its threshold unless forced to do so on official business; no Finnish lady accepts an invitation. Neither personally nor socially is General Bobrikoff qualified to fill the position occupied by Governors of the type of Count Adlerberg. He is simply a rough soldier, who performed to the satisfaction of the unifiers the task of dragooning the Baltic Provinces, and who consequently was marked out for similar work in Finland. He is quite ignorant of both the languages of the people he is supposed to govern, and is thus dependent on spies and nondescript hangers-on for his knowledge of what is happening; and his relations with the Senate and the rest of the official world are of the most formal and frigid character. So complete, indeed, is the isolation in which he exists, that it was unpleasantly apparent during the recent official visit of the Grand Duke Vladimir, who, before his tour of military inspection was finished, is said to have remarked, 'It is clear that we have sent the wrong man.' On that point, at any rate, public opinion in Finland is unanimously with the Tsar's uncle.

To make such a man Governor was the worst possible choice for the Russian Government, if they wished to detach any part of the population of Finland from the constitutional party, and that is unquestionably the policy that was at one time thought of. Even so recently as the 1897 Diet, as we have seen, party feeling made itself felt more than was desirable, and a diplomatic Governor might possibly have cherished hopes of creating something like a 'Governor's' party, no matter how small. But the clumsiness of General Bobrikoff's methods has alienated all Finland so completely that even the most extreme partisans on either side have laid down their arms and formed themselves into one common party of constitutional defence—a party that is indeed not a party, but a nation, for there is no opposition. Even in a country with so many newspapers, not one can be found to take the Governor's part, and in Helsingfors, the very compositors objected when they were asked to put the February Manifesto in type. The new Governor has produced a 'unification' such as the Panslavists had not dreamt of.

One of the Governor's inspirations for dividing the Finns and creating discord in their camp was the cause of a good deal of indignation, and finally of some amusement, in the spring of 1899. Lying along the shores of the White Sea in the province of Archangel are tribes largely of Finnish origin, and speaking a dialect of Finnish. Some of them are still semi-nomadic, and every spring they have, like their Tartar neighbours, been in the habit of starting for Finland, where they spend some months, much as our gipsies do, tinkering, peddling, horse-doctoring, and,

if they are not belied, doing a little picking and stealing when occasion serves. These vagrants are, as has been said, partly Karelian or Finnish in their origin; but the civilized Finns of Finland are not proud of the relationship, and they lump the whole wandering class together as 'the Tartars.' Their cheap Archangel wares and their skill with cattle made the spring visitors at one time useful; but with the spread of railways, shops, and civilization generally into the North of Finland, they came to be regarded as mere nuisances, and laws were passed giving to local authorities power to treat them as rogues and vagabonds, to forfeit their wares (generally smuggled), and send them back to Russia. They still cling to their old habits, however, and turn up every year, but in steadily diminishing numbers, and as in the remoter rural districts there is a certain demand for their services, the authorities have continued to tolerate them.

This year, however, the Tartars turned up in unprecedented numbers, and it was discovered further that the shiftless vagrants had suddenly developed great interest in the social question. It may be explained that although the vast majority of the Finnish peasants are owners of their own farms, there are a certain number of *torpare* or *backstuguhjon* (cottiers) who simply rent patches of land from the larger farmers, for whom they also act as labourers. It was to this 'landless' class that the Tartars addressed themselves, painting in glowing terms the Russian land system, explaining that the Russians were coming, and that when the Swedes had been driven out and Russia left free to carry out her benevolent projects, the poor Finns would be happy

and prosperous, and every man would have his share of the land 'as in Russia.' The Tartar as a social reformer was a novel phenomenon and aroused suspicions. The law was enforced, some arrests made, and it was soon discovered that the men had been employed and carefully coached, and that they were simply repeating to the Finns a lesson that had been taught them by Russian police agents. It was, in fact, a reversal of the Napoleonic *mot* : they scratched the Tartar, and they found the Russian.

The matter got into the newspapers and the 'mole work' (*mullvadsarbete*) as it was called, of the Russian agents became the subject of bitter and indignant comment which did not cease even when the whole batch of emissaries had been bundled across the frontier. It was remembered that when General Bobrikoff was Governor of the Baltic Provinces a similar attempt was made, and made with some success, to stir up disorder and social strife. That a high Russian official would stoop to work of this sort, which in Russia proper would soon send the agitator to Siberia, can hardly be regarded as creditable, and such incidents do much to explain the dislike and contempt with which General Bobrikoff is regarded all over Finland.

He naturally displayed great irritation at the way in which his trick and its failure were exposed in the newspapers, and before long any reference to the Tartars or their *mullvadsarbete* was sufficient to bring down prompt censorship and ultimate suspension of the offending journal.

Here, again, one was able to observe the practical fashion in which the Finlanders face a difficulty. Not

content with routing the Tartars, they promptly recognised the necessity of preventing such lying tactics from having any effect in the future. A society for popular instruction was formed, and little booklets setting forth the facts about the condition of the people in Russia were circulated by the hundred thousand ; so that in the future, whatever may be the legitimate demands made by the Finnish cottiers on the Diet, they will never be under the delusion that their condition will be improved by the introduction of novel agrarian conditions, 'as in Russia.'

Only a political group that was very impudent, as well as very unscrupulous, would have ventured, in the spring of 1899, to hold up the Russian land system as a thing to be admired and longed for by even the poorest. At the very moment when these people were being hired to describe rural Russia as an Elysium upon earth, famine and famine-typhus were stalking unchecked through half a dozen provinces of the empire, and the *Novoe Vremja* itself, the leading anti-Finnish organ in Russia, was calling out for subscriptions for a peasantry who, owing to monstrous over-taxation and a broken-down land system, cannot keep body and soul together on the richest agricultural land in Europe. In M. de Witte's Budget report for the present year he urges, and not for the first time, the absolute and urgent necessity of a thorough re-organization of the antiquated Russian land system ; and in his latest book, 'Le Régime Économique de la Russie,' M. Kovaleffski, a Russian economist of European reputation, declares that under the present system the Russian peasantry are being reduced to a condition of misery, bankruptcy, and beggary, and that, so far from

every man having land of his own, there is already in Russia a landless proletariat of between two and three millions. And it is at such a moment that Nationalist agents offer *monts et merveilles* to the Finnish cottiers and labourers, if they will only help to upset their lawful Government and come under the wing of the Russian land system.

No one would wish to hold respectable Russian publicists or officials responsible for such blackguardly tactics, still less the Emperor himself, but it is interesting, as showing how much the Tsar is in the hands of the officials and how little he is allowed to know, to add to what has been said an item of Russian official news in June, the Tartars having been exposed and routed in May.

Finland had a prosperous year in 1898, and was able to set aside a sum of 10,000,000 marks for the much-required extension of the railway from Uleåborg to Torneå, in the Far North. General Bobrikoff saw his opportunity, and procured an Imperial decree reducing the 10,000,000 intended for the economic development of the country to 6,000,000, ordering 2,000,000 to be handed over for the army, and the other 2,000,000 to be set apart 'for the alleviation of the situation of the landless population of Finland.' And so the Emperor is held up before Finland as an aider and abettor in the unscrupulous tactics of the Governor.

The press has been referred to : It is here, perhaps, that the action of the Russian authorities has been most vindictive and unfair, for a more moderate and self-respecting press than that of Finland, taken all round, it would be difficult to conceive ; but it does not

approve of the Governor and his ways, and so he seems determined to worry it out of existence. He has never attempted a prosecution; that would be fatal, for it would at once show how trumpery are his complaints. But his extra-legal powers are ample. As has been seen in a previous chapter, the Estates and the Emperor failed long ago to come to an agreement as to a Press Law, and so there is no law on the subject. It is simply a matter of discipline in the hands of the Governor, and it is believed to be the only part of his functions that General Bobrikoff really enjoys, especially since, knowing no Finnish or Swedish, he is not much troubled with details.

In some countries the press a century or so ago suffered under a preventive censorship—that is to say, articles had, before publication was permitted, to be submitted to the censor and approved by him; in others there was, and still is, a punitive censorship, under which that official had power to warn, to seize, to suspend, or to suppress altogether papers of which he did not approve. This latter is, in practice, the method that is followed in Russia. All the leading papers in St. Petersburg and Moscow are allowed to appear without previous censorship, but they are carefully examined after they appear, and if found to transgress in any way, they may be warned, refused the right of sale in the streets, suspended, or finally stopped, all without any trial, public or otherwise, and without definite charge brought or proved. It is hard enough, but the Russian papers seem to get used to it, and to achieve the art of sailing very close to the wind. So long as the censor is kept in a good temper—and that can be managed by the proper means—‘dans la Russie

il faut parler rouble'—the papers are not so much hampered as might seem.

But in Finland, by a triumph of perverse ingenuity, the two systems are combined. In the first place, every article must be set up in type, a proof printed, and taken for submission to the censorship. The censor may be out, or engaged, or asleep, or lazy; but the newspaper has to wait, though the hours may pass, till it suits him to look at the proof and approve or disapprove. If there be something doubtful, and the Board of Censors have to be consulted, that means more delay. If the article is disapproved, another has to be presented, and then it begins all over again. A favourite plan is to strike out the central arguments of the article and leave it pointless and flabby, or the arguments may be left in and the conclusion struck out. With goodwill and a little stupidity this can be kept up till the paper misses the morning train and is late for its subscribers.

But this is only the first stage; for after the paper is out the second or Russian method comes into operation, and warning, seizure, or suspension is visited on a paper for publishing what has already managed to pass the censor! The only direction given to those who wish to find a safe path is that they must not say anything against the Government—that is to say, against General Bobrikoff, or his gendarmes, or his Tartars, or his bogus revolutionary plots—and as there is only one subject of political discussion in Finland just now, it is hard to write on politics and avoid it. There is no undue favouritism shown: Swedish and Finnish papers suffer alike, the *Nya Pressen* and the *Hufvudstadsbladet*, along with the *Uusi Suometar* and

the *Pohjalainen*. There were 150 cases in the first three months of 1899, and the numbers have increased rapidly since. All this has no political result whatever; the articles were not seditious, but soberly critical, and as there is no 'Government' press, no newspaper which supports the Russian view and which might possibly influence readers in the absence of constitutional papers, nothing is gained by stopping them—nothing, that is to say, except the ruin of flourishing properties to the building up of which men of ability, of culture, and of public spirit had devoted their lives, and which they had hoped to be able to bequeath to their children. But it amuses the Governor.

Many devices have naturally been adopted to evade this censorship. When a paper has been suspended as a periodical, a series of separate sheets have been issued, each issue bearing a fresh title; tiny type-written sheets of 'flimsy' have been issued and circulated under cover as letters; sheets have been printed in Stockholm and brought across for distribution in the same way. But this was expensive and troublesome, and was soon dropped. It was excellent for purposes of propaganda, but propaganda was not required where there was no one who needed to be convinced, so the press has had in the long run to submit to its ruin as a commercial enterprise, or to abandon politics. It was the hard case of Figaro over again: 'On me dit que, pourvu que je ne parle en mes écrits, ni de l'autorité, ni du culte, ni de la politique, ni de la morale, ni des gens en place, ni des corps en crédit, ni de l'Opéra, ni des autres spectacles, ni de personne qui tienne à quelque chose, je puis tout

imprimer librement, sous l'inspection de deux ou trois censeurs.' The Finnish papers may appear freely if they speak of nothing which interests anybody, and if they are civil to General Bobrikoff. And the Tsar is puzzled to understand how he has alienated the love and affection which were so liberally bestowed upon his ancestors.

It is difficult to imagine what General Bobrikoff and those who are behind him hope to gain by these methods. They cannot expect Finland to be much in love with *le panslavisme libérateur* when it comes to them in uncouth and repulsive guise, and yet they can hardly hope to persuade an amiable and well-meaning Tsar to give them power to dragoon the country like a Central Asian Khanate, for the pretext is entirely lacking. And so long as there is any law left in Finland, the unifiers are clearly powerless. It is one thing to persuade Nicholas II. that this or that Manifesto is not in itself an infringement of the constitution he is pledged to maintain, but it would be quite a different thing to come to him with a direct proposal to destroy that constitution altogether. The aggression thus far has, as we have seen, only had the effect of binding together the Fennoman and Svecoman parties into one united body, and the attempts to excite disaffection among the peasants have been ludicrous failures. No single voice in a country once distracted by faction is raised in favour of the unhappy Governor-General.

Reference should perhaps be made—although they are hardly worth it—to the regulation attempts to spread the belief that dangerous conspirators are at work, and that if a firm and far-seeing Governor were

not on the spot, terrible things might happen. Russian officials have a childlike faith in the efficacy of this well-worn trick. On one occasion the capital woke up to find that revolutionary placards had been posted on the walls during the night. To judge by the tenor of these documents, things were threatening indeed ; but here the fact that the police are a Finnish body, and are able to act independently of the Governor, was of service, for the chief of the Helsingfors force was soon on the alert, and he had little difficulty in tracing the placards to their place of origin—the printing-office of the Russian local staff. And from time to time the Russian papers and agencies publish tales of emissaries—Polish, German, Swedish, English, it does not much matter which—who are at work in the country inciting people against Russia. In August last a Berlin paper was induced to publish a peculiarly absurd story about a rising that had been arranged for in February or March, and about the great purchases of arms and ammunition that were being made in Birmingham in preparation for the interesting event. The only place where nothing at all is known of all these things is Finland itself, where the people high and low remain resolutely calm and orderly.

In justice to Russia and to Russian writers in general, it must be added that these ‘ Finn devourers ’ are representative only of their own discreditable circle, and that the officials and their hack writers are the objects of contempt and ridicule on the part of intelligent and independent Russians. But, unhappily, it is the ignorant reactionaries, and not the intelligent and independent, who have most influence with the Emperor at present, and Finland suffers in consequence.

In Governor von Heiden's time the attacks of the Moscow *Viedomosti* on Finland were so virulent and untruthful that the Governor himself, although a strong Nationalist and unifier, was compelled to remonstrate through the Ministry of the Interior, and the paper received a 'first warning,' which compelled it for the moment to modify its tone. But there are no remonstrances or warnings now, although the Moscow *Viedomosti* and its school are more violent than ever. In pleasant contrast to the Moscow paper is its St. Petersburg namesake, which, since it came under the control of Prince Uchtomski, has observed a dignified restraint and regard for the truth which are sadly lacking in most of the Russian journals. An English writer is not likely to be suspected of any partiality in selecting the St. Petersburg *Viedomosti* for praise, for since Scobeleff's death, England and English influence in the East have had no more determined and no more capable enemy than Prince Uchtomski; but he fights his battles like a man of honour, and his paper is thus distinguished from the bulk of the Russian press.

The Finnish question was indeed one of the causes of an outburst in the St. Petersburg *Viedomosti* on April 15 last which caused some stir in Russia, and was read with much satisfaction by the Finlanders, who have suffered so many things from the 'jackal' press. Prince Trubetskoi contributed on that day a signed article in which, basing himself on the desolation of Edom as described by the Prophet Isaiah, 'of which the present condition of the Russian press involuntarily reminds me,' he delivered a bitter attack on certain well-known papers: 'But the cormorant

and the bittern shall possess it, the owl also and the raven shall dwell in it, and he shall stretch out upon it the line of vanity and the stones of emptiness. . . . The wild beasts of the desert shall also meet with the wild beasts of the island, and the satyr shall call to his fellow. The screech-owl shall rest there, and find for himself a place of rest.' (For 'wild beasts of the desert' the Russian Version reads 'jackals'; and for 'wild beasts of the islands' 'wild cats'; and for 'bitterns' 'serpents'.)

'You will see,' continues the writer, 'how well this picture of woe and desolation agrees with the present condition of our press. The howling of the jackals, the screeching of the owls and the wild cats, the hissing of the serpents, that it is which takes the place of comprehensible human speech, and which is not only permitted, but is regarded as useful.' There are, he goes on to say, questions of State which are of vital interest to the whole of Russia, but in these one hears only the cries of the 'jackals.' With regard to Finland, to take an example: 'The Government declares that it has never thought of infringing the Fundamental Laws of the Grand Duchy, but the "jackals" cry out that they do not recognise these laws, and call on us to trample them under our feet, and to reduce Finland to an Edomitic ruin like that of which the prophet speaks.'

The best Russians, indeed, do not hesitate to express their sympathy with Finland, but they appear to have no power to check the 'jackals,' whose only weapon is abuse and misrepresentation. Even a very prominent Minister of State was reported this summer to have encouraged the Finlanders to make a stubborn

resistance, and to have promised them ultimate victory 'Grind, grind,' he is reported to have said; 'the longer you grind, the better the flour'; but in a land where no public expressions of opinion are permitted, it is a little difficult to know how the grinding is to be done by men who see their country ruined before their eyes.

Another Russian writer, bearing a well-known name and writing in a paper bitterly hostile to Finland, unconsciously supplies that country with a reason for resisting to the last extremity the process of Russification. The text of M. Alexander Novikoff, writing in the *Novoe Vremja* of April 9, is that Russia is half ruined because in Russia there is no law, but only arbitrary power. The peasant, he says, does not try to improve his condition because he has no security, no confidence in law or justice. 'He says with conviction, "What is the Law? you can do what you like." And he is right; everything is possible because there is no Law. . . . People talk of economic and financial reform. How is it possible when on the one hand ignorance robs the people of all initiative, and on the other no one can say what are his rights? . . . I remember Katkoff began one of his articles with the words: "The Government is coming." Shall we be able to say one day to the peasant: "Stand up, my son; the Law is coming"?'

Compare this with the powerful remonstrance of the Finnish Estates against being deprived of the law that is already theirs: 'Without security under the law every nation must have a difficulty in working out its development; no people can feel itself secure so long as it stands in dread lest another law than its own may

be imposed upon it, "for a burden to the peasantry," as the old law expresses it.

' For the Finnish people, which has to contend with the obstacles to cultivation imposed by our harsh northern climate and our barren soil, the struggle will be twice as hard if it can no longer be carried on under the reassuring consciousness of the sanctity of the law inherited by the inhabitants from their forefathers and in harmony with their own inborn sense of justice, for a people cannot change that idea of justice which is the work of centuries. So natural is the apprehension which, with a people in the present situation of the Finlanders, cannot but be felt concerning its own laws and sense of justice, that it cannot well be misunderstood by anyone who, without prejudice or preconceived suspicions, endeavours to put himself in the same situation.

' But this is not enough. Where the sanctity of law is not upheld, there the realization of its moral objects suffers, for an obscured consciousness of right and a weakened sense of justice must be feared as its consequences, and revolutionary elements will most assuredly seek to gain a footing even in Finland if the foundations of the people's consciousness of right are undermined. A specially serious importance will also attach, if edicts are to be issued in opposition to Fundamental Law, to the fact that those who appreciate the sanctity of the law can only be compelled by external force to obey those precepts which they regard not as law, but as a despotic command, whilst collisions of duty and distress of conscience will arise with many whose only desire is to act rightly.

' And it can easily be conceived that these fears, that

this anxiety and this confusion, will be calculated to drive numbers of those members of the community who are best fitted for work out of the country, and so deprive it of material means for labour and culture, thus rendering this cold land poor in population and in the means of maintaining cultivation. It is also evident that capital, which, above all, requires safety and security, will disappear from a country from which the former security for justice and safety are gone, as everyone is uncertain what changes the future may not have in store. The words, therefore, in which Alexander I. justified his policy towards Finland continue to be valid now as in the beginning of the century—words in which he expressed the opinion that the constitution and the laws which, as being consonant with the disposition, the customs and the culture of the Finnish people for a long series of years, have been the basis of civil liberty and peace, could not without danger be limited or altered.

‘It is to be feared that from many quarters no decisive importance will be given to the circumstances here set forth, but the Estates venture to hope that when they are properly laid before him, they will not be found wanting in importance by His Imperial Majesty, to whom the care and the welfare of the Finnish people have been entrusted. It may be that the opposed interests of the Russian people will be advanced against all this. But, unless it can be denied that the Finnish people also is indebted for its existence as a nation, with a social organization of its own, to a higher law than any merely human one, and to the same supreme guidance by which even the great nations have their missions and their goals marked

out, it cannot be enjoined upon the Russian nation to seek to impede or to destroy the life of the Finnish people ; nor can it be of any service to that nation if by using its great power it should deprive the Finnish nation of its laws and institutions and of the position it enjoys for the fulfilment of its mission.'

This appeal seems almost to be an application and an extension of the words used by Burke on a similar occasion : ' The question is not whether you have the power to make your people miserable, but whether it is not to your interest to make them happy.' Russia can, of course, appeal to brute force, and lay down for Finland what terms she pleases. But the lesson of violence and illegality is a dangerous one to teach in Russia, where the history of almost every reign is stained by crime from above or from below. It cannot surely be to the interest of Nicholas II. to turn back the steps of Russia into the path of that barbaric despotism, tempered by assassination, from which all the Emperors since Alexander I. have tried at one time or another to save it.

It would be grossly unfair, in speaking of Russia's relations with Finland, to ignore the good side of her past work in that country. That she largely left it alone, that the motto was, ' Finland governs itself,' is only half the truth ; for it was Russia that first created the possibility of Finland growing prosperous through peace and self-government. In the troubled centuries, we are told, the passing greeting of peasants in the Finnish frontier districts was, ' What is heard ?' and the answer was ' War' quite as often as ' Peace.' Since 1809 war or the fear of war has never troubled the Finnish peasant, and this the country owes to

Russia. It was an immense benefit that was conferred on Finland when Alexander I. put an end to the strife of centuries at Borgå, and gave the country its first impulse in the direction of progress and prosperity.

Is it all to be abruptly stopped after ninety years? The mere supposition of such a thing seems monstrous. Many constitutional experiments have been tried in Russia; some are still on their trial, and he would be a bold man who would venture to predict the outcome. In one corner only of the Tsar's dominions have the constitutional aspirations of the first Alexander had fair scope, and there they have been an unquestionable success. Surely both wisdom and honesty indicate that the successful policy of so many years should not be reversed. In spite of all that has happened, the people of the Grand Duchy still have hopes that the truth will sooner or later penetrate to the ears of Nicholas II., and when that happens they have no great fear of the issue. It is hard to believe that the century whose first decade ended so brightly for them, owing to the statesmanship and the good faith of a Tsar, is destined to end in disaster, caused by the repudiation of that statesmanship and good faith by his latest successor—that the advocate of peace and disarmament is willing to go down to posterity as the Tsar who broke his word to Finland.

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